

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825
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REGULAR MEETING

of the California Horse Racing Board will be held on **Thursday, March 27, 2008**, commencing at **9:30 a.m.**, at the **Bay Meadows Race Track, Longchamps Room, 2600 S. Delaware Street, San Mateo, California.**

AGENDA

Action Items:

1. Approval of the **minutes of the regular meeting** of February 28, 2008.
2. Discussion and action by the Board regarding **the status of the card check agreement between the Pari-Mutuel Employees Guild, Local 280 and the licensed Advance Deposit Wagering providers.**
3. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Hollywood Park Racing Association, LLC (T) at Hollywood Park**, commencing April 23, 2008 through July 13, 2008, inclusive.
4. Discussion and action by the Board on the **Application to Conduct a Horse Racing Meeting of the Pacific Racing Association (T) at Golden Gate Fields**, commencing May 13, 2008 through June 22, 2008, inclusive.
5. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1865, Altering of Sex of Horse**, to provide for a minimum one thousand dollar fine for any horse entered to race not properly identified as a first time gelding in the official program, or to provide that any horse entered to race that has been gelded since a prior start shall be scratched if the horse's true sex is not correctly identified in the official program.
6. Public hearing and action by the Board on the adoption of the **proposed amendment to CHRB Rule 1420, Definitions**, to revise the definition of a claiming race, and the **proposed addition of CHRB Rule 1634, Claiming Option Entry**, to provide that horses entered in a claiming race may be declared ineligible to be claimed under specified conditions.
7. Public hearing and action by the Board on the adoption of the **proposed addition of CHRB Rule 1843.3, Penalties for Medication Violations** and the **proposed amendment to CHRB Rule 1843.2, Classification of Drug Substances.**

8. Discussion and action by the Board on the **proposed amendment to CHRB Rule 1849, Nerving**, to prohibit nerved horses from the grounds of the racing association; from entry in a race; or from being sold or offered for sale on the grounds of a facility under the jurisdiction of the Board; and the **proposed repeal of CHRB Rule 1850, Posterior Digital Neurectomy and CHRB Rule 1851, List of Nerved Horses**.
9. Discussion and action by the Board regarding the **proposed amendment to CHRB Rule 1606, Coupling of Horses**, to allow an owner with partial interest in two horses with different partners, to run uncoupled in thoroughbred races if they are trained by different trainers.
10. Report and presentation from representatives of the San Mateo County Event Center regarding their **preparations for opening a Satellite Wagering Facility**.
11. Report and discussion by the Board **regarding the status of the closure of the Sacramento Harness Association**.
12. Discussion and action by the Board **to direct staff to develop minimum net worth standards for racing associations submitting applications for license to conduct a horse racing meeting at both public and private race tracks**.
13. Discussion and action by the Board regarding **the feasibility of amending CHRB Rule 1876, Financial Responsibility**, to require that financial complaints above an amount that can be adjudicated by small claims not be heard by the Board, or the repeal of CHRB Rule 1876, which will eliminate financial complaints from being heard by the Board.
14. Staff report on the following concluded race meets:
 - A. **Bay Meadows Racing Association** at Bay Meadows from February 14, 2007 through November 4, 2007.
 - B. **Oak Tree Racing Association** at Santa Anita from September 26, 2007 through November 4, 2007.
 - C. **Hollywood Park Racing Association, LLC** at Hollywood Park from November 7, 2007 through December 22, 2007.
 - D. **Pacific Racing Association** at Golden Gate Fields from December 26, 2006 through December 22, 2007.
 - E. **Los Alamitos Quarter Horse Racing Association** at Los Alamitos from December 28, 2006 through December 23, 2007.
 - F. **Sacramento Harness Association** at Cal Expo from August 1, 2007 through December 22, 2007.

15. **Public Comment:** Communications, reports, requests for future actions of the Board.
Note: Persons addressing the Board under this item will be restricted to **three (3) minutes** for their presentation.
16. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by Section 11126 of the Government Code.
 - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," as authorized by Government Code section 11126(e).
 - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Jacqueline Wagner.

CALIFORNIA HORSE RACING BOARD

Richard B. Shapiro, Chairman
John C. Harris, Vice Chairman
John W. Amerman, Member
John Andreini, Member
Jesse H. Choper, Member
Marie G. Moretti, Member
Jerry Moss, Member
Kirk E. Breed, Executive Director

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PENDING LITIGATION
MARCH 2008

CASE

CASE NUMBER

**CALIFORNIA HARNESS HORSEMEN'S
ASSOCIATION and CAPITOL RACING,
LLC, v.**
California Horse Racing Board

Sacramento County Superior Court
No. 03CS01033
Third District Court of Appeal
No. C051744

CAPITOL RACING, LLC, v.
California Horse Racing Board and
(California Harness Horsemen's Association
interested Party)

Sacramento County Superior Court
No. 05CS01116

**CALIFORNIA HARNESS HORSEMEN'S
ASSOCIATION v.**
Capitol Racing

Sacramento County Superior Court
No. 05AS05586

JAMGOTCHIAN, JERRY v.
California Horse Racing Board, et al.

Los Angeles County Superior Court
No. BS109909

JAMGOTCHIAN, JERRY v.
California Horse Racing Board, et al.

Los Angeles County Superior Court
No. BC380314

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PENDING ADMINISTRATIVE ADJUDICATIONS
MARCH 2008

CASE

CASE NUMBER

BRIAN KORINER

OAH No. L2007100905

PROCEEDINGS of the Regular Meeting of the **California Horse Racing Board** held at the **Arcadia City Hall**, 240 West Huntington Drive, Arcadia, California on **February 28, 2008**.

Present: Richard B. Shapiro, Chairman
John Andreini, Member
Jesse H. Choper, Member
Marie G. Moretti, Member
Jerry Moss, Member
Kirk E. Breed, Executive Director
Derry L. Knight, Deputy Attorney General

MINUTES

Chairman Shapiro asked for approval of the minutes of the Regular Meeting of January 16, 2008. Commissioner Moretti **motioned** to approve the minutes. Commissioner Moss **seconded** the motion. Richard Castro of the Pari-mutuel Employee's Guild (Guild) stated his request to have the issue of the Guild's ongoing negotiations with advance deposit wagering providers placed on the agenda of the February 2008 Regular Meeting was omitted from the minutes. Chairman Shapiro stated the omission would be corrected, and the issue would be placed on the agenda for the March 2008 Regular Meeting. The motion was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING RECONSIDERATION OF ITS ACTION TO EXTEND THE LICENSE GRANTED TO THE SACRAMENTO HARNESS ASSOCIATION (H) AT CAL-EXPO TO CONDUCT A HARNESS RACING MEETING COMMENCING JANUARY 24, 2008 THROUGH MARCH 27, 2008, INCLUSIVE.

Chairman Shapiro said at its January 2008 Regular Meeting the Board extended the Sacramento Harness Association's (SHA) license to operate a harness meeting at Cal-Expo. The license was extended through March 27, 2008, under certain conditions, which included

Proceedings of the Regular Meeting of February 28, 2008

securing a financial instrument to act as a security deposit, and providing the Board with an audited financial statement. Chairman Shapiro said none of the conditions were met. Instead, on February 15, 2008, he received a letter from SHA that declared the association would cease operations as of March 1, 2008. Chairman Shapiro asked how SHA would meet its current obligations, and any obligations that might arise after it ceased operations. Ivan Axelrod of SHA said his organization was working with Cal-Expo and the California Harness Horsemen's Association (CHHA) to coordinate the transition and to finish SHA's business. Mr. Axelrod stated SHA had ongoing obligations to the horsemen, and ongoing liabilities and receivables, such as pari-mutuel commissions and deposits. SHA analyzed its assets and liabilities, and it believed it could satisfy its obligations. Mr. Axelrod said SHA planned to leave the paymaster of purses account open with approximately \$675,000 owed to the horsemen. Chairman Shapiro said in February 2008 the Board was told SHA owed the horsemen \$375,000, but now it was being told the real figure was \$675,000. He asked if SHA had the cash on hand to pay that amount upon its closure. Mr. Axelrod said the CHHA owed SHA approximately \$400,000 in overpayments. That money, combined with SHA's current cash, could pay off the paymaster account. Chairman Shapiro said other parties informed him the CHHA owed SHA approximately \$200,000, which was significantly less than \$400,000. Jim Perez of the CHHA said SHA owed it approximately \$175,000, which the CHHA would apply to the overpayment. The balance of what CHHA owed for overpayments would also be committed to the paymaster's liability. Chairman Shapiro commented the \$175,000 the CHHA was foregoing was not cash. Mr. Perez said he understood, but that sum was owed to the horsemen by SHA. Chairman Shapiro stated he questioned the wisdom of keeping the paymaster of purses account

open. What happened if the horsemen decided to withdraw their funds? Did SHA have the \$675,000 to make those payments? Mr. Axelrod said he spoke with Ben Kenny of CHHA, and the agreed overpayment of the purses was \$468,000, which included some estimates. SHA also owed the horsemen \$170,000, so it would write CHHA a check for \$170,000, and CHHA would write SHA a check for \$468,000, which meant the net was approximately \$300,000. Chairman Shapiro asked if CHHA could write a \$468,000 check. Mr. Perez said he was unaware of an agreement regarding the funds. He stated he understood the balance was \$200,000. Chairman Shapiro stated he thought it was great that the transition to Cal-Expo as the harness operator would be smooth, but he was still concerned with how the harness horsemen who had earned purses would get paid. In addition, there were other obligations that he did not know how SHA would meet. Were there pension plans and workmen's compensation premiums that needed to be paid? How could SHA assure the Board its obligations as a racing association would be met? Mr. Axelrod said as SHA closed it would make those payments with monies it would receive from various organizations. SHA was owed deposits from organizations such as Southern California Off Track Wagering, Inc., and it had pari-mutuel commissions that would come in over time. Chairman Shapiro commented SHA was supposed to have provided financial security to the Board in the amount of \$500,000, but it had not. Now the Board was at a place where it did not want to see the people who worked for SHA or the horsemen get stuck. He asked what would happen if SHA could not fulfill its financial obligations. Who would make assurances the employees and the horsemen would get paid? Would the board of directors or the officers of SHA stand tall? Mr. Axelrod said he did not think anyone would provide additional capital to SHA. However, if the

horsemen asked for their money on March 2, 2008, or at any time, there would be checks cut to pay them, and the checks would be good. Chairman Shapiro said the Board would like to hear what assurances there were if SHA's plan did not work. SHA needed to ensure its employees and the horsemen were paid. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding the closure of SHA. Jim Correll of the Pari-Mutuel Employee's Guild stated SHA owed at least \$16,000 in past pension credits through 2007, and he did not know what SHA paid in 2008. Mr. Correll said there were also unfunded liability on the pension for the 18 months SHA ran, which was probably as much as \$60,000 for health and welfare members.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION TO CONDUCT A HORSE RACING MEETING OF THE CALIFORNIA EXPOSITION AND STATE FAIR (H) AT CAL-EXPO, COMMENCING MARCH 6, 2008 THROUGH AUGUST 2, 2008, AND SEPTEMBER 11, 2008 THROUGH DECEMBER 20, 2008, INCLUSIVE.

Chairman Shapiro stated the staff analysis indicated the horsemen's agreement was not complete. He asked if the parties had been able to reach an agreement. Norb Bartoski of the California Exposition and State Fair (Cal-Expo) said an agreement in principal had been reached. Jim Perez of California Harness Horsemen's Association stated the horsemen did have an agreement. Chairman Shapiro asked if there were any outstanding issues from the closure of Sacramento Harness Association (SHA). Mr. Bartosik said SHA had a rent obligation and some reimbursable expenses, but Cal-Expo would not assume any of SHA's liabilities. Dave Elliot of Cal-Expo stated there were a couple personnel issues with the application: the racing secretary would be Fred Keubler, and Dr. Audrey Clifton would be the track veterinarian. Chairman Shapiro commented Cal-Expo sent a letter requesting the waiver

of the requirement that a physician be on duty at all times during live racing. He stated he did not know if the Board had the authority to grant such a waiver, and added the Board would have to seek advice from its Deputy Attorney General. Dave Elliot said the Cal-Expo application indicated the association requested permission to petition the Board for additional racing dates not to exceed 4 nights per week if conditions improved. Chairman Shapiro said that request would be incorporated into the application. Commissioner Moss **motioned** to approve the application for license to conduct a horse racing meeting at Cal-Expo. Commissioner Moretti **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE REQUEST OF THE LOS ANGELES TURF CLUB FOR MODIFICATIONS OF ITS RACING DAYS AT THE CURRENT DECEMBER 26, 2007 THROUGH APRIL 20, 2008 RACE MEETING AT SANTA ANITA.

Chairman Shapiro stated Santa Anita (SA) recently lost approximately eight days of live racing due to problems with its synthetic track surface and inclement weather. George Haines of SA stated his organization lost a total of 11 days, three of which it made up by running Wednesdays. Mr. Haines stated SA was not currently asking for additional Wednesdays; however, if racing stock permitted, SA requested the ability to come back in the near future and ask for more Wednesday racing. Chairman Shapiro stated SA's original application called for eight races during the week and up to 10 races on weekends, depending on conditions. Mr. Haines said due to the backlog of inventory SA ran additional races on weekends. Going forward, SA would run between eight and 10 races per day on weekends. Chairman Shapiro said he understood that SA wanted the ability to come to the Board and ask for additional Wednesdays if conditions permitted. Otherwise, SA would come to the Board if there was a

specific sixth day of the week it wanted to run. SA also wanted the flexibility to run eight or nine races during the week and as many as 10 or 11 races on weekends, subject to inventory availability. Mr. Haines said Chairman Shapiro was correct. Chairman Shapiro stated the Board wanted to see quality racing and it understood SA was managing its barn area. He said, however, he wanted it on the record that the Board did not want to impact any other race meeting beyond SA. Chairman Shapiro **motioned** to approve the request by SA subject to the Executive Director and/or Chairman approving any modifications. Commissioner Moss **seconded** the motion. Jack Liebau of Hollywood Park (HP) and Bay Meadows (BM) said he did not remember when a racing association's license was amended as had SA's license. BM was interested in running on Wednesdays because the experiment with Mondays did not work well. However, it learned on short notice through its pari-mutuel department that SA would run on Wednesdays. Mr. Liebau said he would like to know who would make the determination regarding the viability of the horse inventory. He stated there were signs the inventory was depleted after SA ran the three Wednesdays. HP did not want to be left with no inventory. Mr. Liebau said he was not criticizing SA, as it was difficult to calculate the inventory, and there was probably less concern about the inventory when it impacted another association. Mr. Liebau said he questioned the Board's ability to delegate the authority to grant race days without having a hearing where interested parties could speak. He stated he did not think it was right, as it had not been the practice in the past and should not be current practice. He added BM and HP were interested parties. When HP lost its turf course in 2005 it lost four days of racing or 39 races. At the end of the meeting there was ample inventory, but the Board denied HP the ability to run additional days. Mr. Liebau stated the Board should

take what happened in 2005 as a precedent. SA should not be allowed to run six-day weeks in the last four weeks of its meeting, or the four weeks pre-dating the opening of HP. Chairman Shapiro said his motion included the condition that any decisions take into consideration the impact on any race meeting after SA. Mr. Liebau stated that would depend on whose opinion was sought. BM was an interested party, but it was not consulted when SA ran the three extra Wednesdays. Mr. Liebau said he did not even know if the Board delegated the authority to anyone to amend the SA application. Chairman Shapiro said the industry was in uncharted waters. He was not worried about precedent, as the decisions made in 2005 were past. The Board was trying to deal with the current problem at SA, and it was trying to be fair and equitable to all parties. Chairman Shapiro said he understood HP did not mind if SA ran Wednesdays until the last four weeks of SA's meeting. Mr. Liebau stated that was correct. Chairman Shapiro said the Board's next Regular Meeting was not until the end of March. So, the Board was trying to find a mechanism that would allow it to help stakeholders. Mr. Liebau said he only wanted it to be on record that if the delegation did take place the Board would be aware of HP's concerns, and would treat HP equally, in the same manner as what happened in 2005. Chairman Shapiro said if he understood correctly, the only thing HP was concerned about was the last week in March and the first three weeks of April. Mr. Liebau said that was his concern. Commissioner Choper asked if HP would accept the procedure of SA having to inform HP in adequate time if SA decided to run extra days during its last four weeks. Mr. Liebau said that would help, but the problem was difficult for anyone to know the availability of inventory. Chairman Shapiro asked what mechanism would HP like the Board to have in place so a request by SA could be presented and HP could comment. Mr. Liebau said HP was

asking for notice, which was not received for the prior three Wednesdays. There should also be some discussion regarding the state of the horse inventory. Chairman Shapiro asked how HP would like such a conversation to take place. Mr. Liebau said a meeting of the concerned parties in Calabasas would be acceptable. Chairman Shapiro stated that would be fine. There would be a meeting of the concerned parties in Calabasas before any additional dates were granted four weeks prior to HP's opening. Chairman Shapiro **motioned** to allow SA to increase the number of races that it would run to nine races during the week, and 10 or 11 races on weekends, subject to acceptable horse inventory. Prior to such increases SA must notify the Executive Director. In the event SA desired to run an additional date during the last four weeks of its meeting, the Chairman and the Executive Director would meet to discuss the horse inventory and availability prior to granting such additional dates. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding the SA meeting.

PUBLIC HEARING AND ACTION BY THE BOARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO CHRB RULE 1420, DEFINITIONS, TO PROVIDE A DEFINITION OF AN ALTERNATIVE CLAIMING RACE, AND THE PROPOSED ADDITION OF CHRB RULE 1634, ALTERNATIVE CLAIMING RACE, TO PROVIDE THE CONDITIONS UNDER WHICH A HORSE MAY BE ENTERED IN AN ALTERNATIVE CLAIMING RACE.

Jacqueline Wagner, CHRB staff, said in October 2007 the Board heard a proposal by Thoroughbred Owners of California (TOC) to add a regulation that would allow an owner to enter a horse that was declared ineligible for claiming in a claiming race if the horse had been laid off for at least 180 days, and was entered for a claiming price equal to or greater than the price at which it last started. The TOC stated the regulation was necessary to encourage

owners to lay off horses, if needed, and to provide a race in which such horses could return to racing without being claimed. Otherwise, horse owners would be reluctant to invest in the cost of laying off a horse and bringing it back for racing purposes. At the October 2007 meeting it was determined that the TOC proposal might be in conflict with Business and Professions Code section 19408.2, which defined a claiming race as a race in which any horse entered could be claimed in conformity with the Board's rules. The Deputy Attorney General (DAG) stated the Board was faced with a nomenclature issue. If the race were named something other than a claiming race the regulation possibly could be approved. The result was a proposal to add Rule 1634, Alternative Claiming Race, which would allow an association to write races in which every horse entered could be claimed, except for horses that were declared ineligible for claiming. To be declared ineligible for claiming a horse must not have started for at least 180 days. In addition, the horse must be entered for a claiming price equal to, or greater than the price at which it last started. The owner must declare the horse ineligible at time of entry, and a failure to make such declaration could not be remedied. Ms. Wagner said staff incorporated the essence of TOC's proposal in the proposed regulation. However, during the public comment period TOC indicated the proposed addition of Rule 1634 was inconsistent with its original proposal, and it would not support the regulation. TOC did not agree that the Business and Professions Code's definition of a claiming race precluded the Board from crafting rules that would allow certain horses in a claiming race to be declared ineligible for claiming. TOC was also concerned there would never be enough horses to fill alternate claiming races. Ms. Wagner stated staff discussed the issue with TOC and the DAG and it was determined that the proposal would go forward, while TOC perused a legislative

amendment to address the definition of a claiming race. Drew Couto of TOC stated that after talking to DAG Derry Knight and staff TOC might seek legislation to change the statute that defined a claiming race. However, the current proposal was not the regulation TOC originally requested, and after talking with the racing secretaries, TOC believed the proposal would not solve the problem. Chairman Shapiro asked why the industry was running optional claiming races. Mr. Couto stated an optional claiming race was actually an allowance race with the option of claimers running in them. Such races came about because the industry was having difficulty filling pure allowance races. Chairman Shapiro commented such races were not claiming races as defined by the Business and Professions Code. Mr. Couto said that was correct. He stated the position of the DAG was that Business and Professions Code section 19408.2 limited a claiming race to a race in which all horses were eligible for claiming. Chairman Shapiro said the section of law in question stated a claiming race was a race in which any horse entered "may" be claimed; it did not say "shall" be claimed. Why could not the Board interpret the law to allow for horses to be declared ineligible for claiming? DAG Knight said if the Board called the race a claiming race every horse entered was required to be entered for a claiming price. Commissioner Choper commented the law also said "pursuant to the rules established by the Board." Why could not the Board establish a regulation that stated any horse could be claimed except those who were declared ineligible? What would happen if the Board adopted such a rule? DAG Knight said any regulation adopted by the Board had to be approved by the Office of Administrative Law (OAL). The OAL would look for any inconsistency with the statute. The concern was the regulation would be disapproved by OAL because it was inconsistent with the law. He added the Board had the ability to adopt the

regulation and to see if it would be approved. Commissioner Moss said there was also the issue of fairness. He did not think it was fair to allow a horse that had been laid off for six months to run in a claiming race without the ability to be claimed. Commissioner Moss stated if the owner wanted to see how his horse ran without being claimed, it could be entered in a claiming race at a higher price, or it could run in a low-level allowance race. The Board should not change the sacrosanct of claiming races, as that would create too much of a problem. Mr. Couto said the proposal was the consensus of the TOC board, and was vetted through the racing secretaries and the California Thoroughbred Trainers. The proposal was fair because the horse had to return at the same claiming level, or higher. Mr. Couto commented the TOC agreed with Commissioner Choper. If the OAL had an issue with the proposal, it would deny the regulation. TOC believed the law allowed the Board to write regulations with conditions for claiming races, and it also believed its proposal was consistent with the statute. Commissioner Moss said persons looking to claim a horse paid attention to the horse's works, and visited the backstretch to see how that horse was reacquainting itself to the racetrack. To allow a horse a free run was not fair to the other horses in a claiming race. The Board should look for ways to help owners, but allowing a horse to be declared ineligible did not help the other owners in the race. Commissioner Choper asked if Commissioner Moss would agree to allow a horse to be declared ineligible for claiming if it ran at a higher class than it last raced. Commissioner Moss stated if that proposal pleased the other concerned parties he would agree; however, he would not agree to allow a horse to enter at the same level. Commissioner Choper said he would like to amend the proposed regulation to require the horse to enter at a higher claiming price than the price at which it last ran. Mr. Couto said

the TOC proposal was reached by consensus after consultation with racing secretaries. The concerned parties did not believe they were creating an unfair advantage, but instead were creating an incentive for owners to give horses time off. He stated he understood Commissioner Moss's concerns, and he would take the proposal to those who helped craft the regulation to seek their opinion. Tom Robbins, a racing secretary, said it was commonly understood that a horse on a six-month lay-off was often recovering from an injury, and normally would not return at the same level at which it left, or was as competitive. That was the thinking of the parties that drafted the TOC proposal. The parties involved with the proposal did not think it provided an unfair advantage. Commissioner Choper asked what was wrong with the proposal to require that such horses returned at a higher claiming price. If such horses were unlikely to win, it really did not matter. Mr. Robbins said he personally did not have a problem with the proposal. Chairman Shapiro said the proposed regulation would be amended to require that for a horse to be declared ineligible for claiming, it must be entered for a higher claiming price than the price at which it last ran. The proposal could return to the Board for further comment.

PUBLIC HEARING AND ACTION BY THE BOARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO CHRB RULE 1844, AUTHORIZED MEDICATION, TO ESTABLISH LEVELS AND ADD STANAZOLOL, NANDROLONE, BOLDENONE AND TESTOSTERONE TO THE LIST OF DRUG SUBSTANCES, ONE OF WHICH MAY BE PERMITTED IN THE OFFICIAL URINE TEST SAMPLE.

Dr. Rick Arthur, CHRB Equine Medical Director, said the proposed amendment to Rule 1844, Authorized Medication, would establish permitted levels of three naturally occurring anabolic steroids and one manufactured steroid. The drugs were: testosterone, boldenone, nandrolone

and stanazolol. Commissioner Moss **motioned** to adopt the amendment to Rule 1844. Commissioner Moretti **seconded** the motion. Ed Halpern of California Thoroughbred Trainers (CTT) stated his organization supported the regulation of steroids. However, there was currently no accurate test for withdrawal times or residual levels, so the proposal raised some concerns for CTT. A violation of the proposed regulatory levels was a class "D" violation, and as long as the penalty for such a violation was an "advisory" letter – rather than a "warning" letter, and there would be no notations on the trainer's record, the CTT had no problems with the regulation. Dr. Arthur stated he did not care what the letter was called. The Board's goal was not to have positive test results, and that was why the issue was being approached incrementally. He commented the issue had been worked on for over a year, and the Board would be able to pretest horses through 2008. Any trainer could request such tests as soon as the regulation was in place. Dr. Arthur stated the Racing Medication and Testing Consortium (RMTC) was working on levels and should have such information available by the summer of 2008. Mr. Halpern said there were no accurate tests to determine when steroids were administered. A trainer could theoretically administer steroids 60 days out and still have a positive test result. Chairman Shapiro said he understood the CTT position, but the Board was not attempting to catch anyone. It was merely taking one of the sequential steps necessary to enact the program. Dr. Arthur said the Board took the RMTC model rule and adopted it to California's framework. The testing was very accurate, but there was no information on the withdrawal times. Dr. Arthur stated the rules were used internationally. If a horse were shipped to Dubai or Japan it would be subject to the rules. In addition, the Board would offer pre-race testing, which would take any uncertainty out of the equation. Commissioner Moss

asked what would happen if the Board simply banned the steroids. Dr. Arthur said the problem was that although testosterone, nandrolone and boldenone were manufactured as pharmaceuticals, they were also naturally occurring substances. Mr. Halpern said the CTT was not against regulating steroids; however, the RMTC was saying it was not ready because it did not have the testing for them. The CTT agreed with the regulation, but until the Board enacted the drug classifications there should be no warning letters to the trainers, and no indication on the trainers' records stating they had violated the regulation. Dr. Arthur said the reason the RMTC had not moved forward with its model rule was that other jurisdictions were not ready. The warning letter issue could be worked out with the CTT. The motion was **unanimously carried.**

PUBLIC HEARING AND ACTION BY THE BOARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO CHRB RULE 1849, NERVING, TO PROHIBIT NERVED HORSES FROM THE GROUNDS OF THE RACING ASSOCIATION; FROM ENTRY IN A RACE; OR FROM BEING SOLD OR OFFERED FOR SALE ON THE GROUNDS OF A FACILITY UNDER THE JURISDICTION OF THE BOARD; AND THE PROPOSED REPEAL OF CHRB RULE 1850, POSTERIOR DIGITAL NEURECTOMY, AND CHRB RULE 1851, LIST OF NERVED HORSES.

Chairman Shapiro stated the item was heard at the July 2007 Regular Board Meeting, but no action was taken at that time. Jacqueline Wagner, CHRB staff, stated during the 45-day public comment period two comments in opposition to the proposal were received. Susan Branch, a horse owner and thoroughbred breeder, said she was concerned the Board was proposing to take away a therapeutic procedure based on a supposition of a problem. Ms. Branch stated she did not find any evidence in the record that there was a problem created for a racehorse due to a posterior digital neurectomy. When all other avenues were exhausted, horse owners should

be allowed to use the procedure to relieve chronic foot pain. Ms. Branch said she researched scientific and objective evidence, but she could not find anything in the record that indicated heel nerving created a problem for the horse or the jockey. Ms. Branch said she believed the current Board regulations were adequate. They gave notice to track personnel, potential owners, jockeys and trainers that a horse was nerved. The regulations also required that any person proposing to do the procedure notify the track veterinarian, so he could determine if it was appropriate. Alan Branch, a horse owner and thoroughbred breeder, spoke in opposition to the proposed amendment of Rule 1849, Nerving, and the proposed repeal of Rule 1850, Posterior Digital Neurectomy, and Rule 1851, List of Nerved Horses. Dr. Rick Arthur, CHRB Equine Medical Director, stated he contacted chief veterinary stewards in England, France, Hong Kong and Australia, and they did not allow the procedure; however, none of the jurisdictions had an enforcement strategy. They all used the honor system. Australia used to allow the procedure, and when it took an action similar to the one contemplated by the Board, it allowed for a grandfather clause, as a posterior digital neurectomy could not be reversed. Dr. Arthur stated another issue was that under the proposed action some high performance horses might be ineligible to run. He spoke about the successful racing career of Brave Act, a horse that had undergone a posterior digital neurectomy. He stated it was unknown if any Breeders' Cup eligible horses currently were neurectomized. Dr. Arthur stated he believed the Board should reject the proposal, but if the Board wished to move forward it should do so on a national level, in a uniform regulation that included a grandfather clause. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding the proposed amendment of Rule 1849 and the repeal of Rule 1850 and Rule 1851. Barry Broad, representing the Jockey's Guild (Guild),

stated the Guild's members had misgivings regarding the procedure, but the question that remained was: did the procedure cure an illness or did it make it possible for horses to run without feeling pain? Dr. Arthur said a posterior digital neurectomy was a rarely used procedure. The best analogy was a root canal, where the pain was taken away from the tooth, but the tooth stayed in place and functioned well. A posterior digital neurectomy was primarily used for small fractures of the coffin bone or the navicular bone. Chairman Shapiro asked how many horses were racing with a posterior digital neurectomy. Dr. Arthur stated there were probably no more than 10 horses that had the procedure done that were racing. Candace Young, a horse owner, spoke about her concerns regarding the posterior digital neurectomy procedure. Commissioner Choper **motioned** to not amend Rule 1849, or repeal Rule 1850 and Rule 1851. Commissioner Andreini **seconded** the motion. Commissioner Choper, Commissioner Andreini and Commissioner Moretti voted "yes," and Chairman Shapiro and Commissioner Moss voted "no." The **motion failed** due to a lack of a four-vote majority as required under Business and Professions Code section 19431. Chairman Shapiro said the item would be brought back for comment by the absent Commissioners and for a vote only.

PUBLIC HEARING AND ACTION BY THE BOARD ON THE ADOPTION OF THE PROPOSED AMENDMENT TO CHRB RULE 1865, ALTERING OF SEX OF HORSE, TO PROVIDE THAT A HORSE SHALL BE SCRATCHED IF THE TRUE SEX OF THE HORSE IS NOT LISTED ON ITS CERTIFICATE OF REGISTRATION ON FILE IN THE RACING OFFICE BY SCRATCH TIME FOR THE RACE IN WHICH THE HORSE IS ENTERED.

Chairman Shapiro said the issue had to do with horses whose castration or gelding was not accurately reflected in the program. Some fans felt the inaccurate information was not fair

with regards to placing wagers. The Board encouraged the stewards to increase penalties, signs were posted in the racing office and other measures were taken, but the problem persisted. The proposed amendment to Rule 1865, Altering of Sex of Horse, would require that the horse be scratched if its true sex was not listed on its certificate of registration on file in the racing office by scratch time for the race in which it was entered. Dr. Rick Arthur, Equine Medical Director, said the issue was difficult to resolve, as the trainer was not always the one who was responsible for errors. It was also difficult to get the stewards to increase fines and it seemed they did not think the issue was too important. However, the stewards were finally convinced to raise fines and the last three violations of Rule 1865 were \$500 for unannounced geldings. During the fiscal year 2007 – 2008 there were 44 violations of the regulation, and in the current fiscal year, which would end June 30, 2008, there were already 24 violations. Commissioner Moss said it was a difficult issue. The trainers, stewards and the racing office were all informed and there were still violations of the regulation. He stated the Pari-Mutual/ADW and Simulcast Committee discussed a \$1,000 fine for trainers, and perhaps owners. Few were in favor of scratching the horse, but that could be the only way to handle the problem. Chairman Shapiro said errors in reporting the true sex of a horse were a disservice to the wagering public. He did not doubt there was a significant change in the performance of a lot of first-time geldings. While he was sorry for those who believed scratching the horse would hurt business and reduce wagering interests, it seemed to be an answer. Rick Hammerle of Santa Anita stated there were numerous ways for information regarding a horse's true sex to go astray. Anyone working on a farm could go to the Jockey Club file and change the information, and not inform others, and it would be six months before

it was discovered at the racetrack. Changes in trainers could also cause problems. Mr. Hammerle said the proposal before the Board would scratch a horse a day and a half before the race. He stated he thought that was a bit extreme, as the problem could be corrected and announced the morning of the race. Mr. Hammerle said he favored increasing fines for violation of Rule 1865, rather than scratching the horse. Tom Robbins of Del Mar stated he would be in favor of raising fines over scratching the horse. Mike Harlow of Santa Anita stated he did not believe scratching the horse was the best way to fix the problem. Commissioner Moss said he thought the Encompass system was supposed to be the tool that would provide comprehensive information regarding the horse. Mr. Hammerle said Encompass was modified so there was a field to report first-time geldings. The theory behind that was if a trainer knew he would be heavily fined and he saw the information was incorrect on the overnight, he would inform the racing office to correct the problem. Mr. Hammerle said it was starting to take hold, as more people were double-checking. However, the system was only as good as the information provided. If a gelding were not reported, it would not be on the program. Marsha Naify of Thoroughbred Owners of California (TOC) stated her organization did not support scratching the horse. Instead, TOC supported increasing fines for violations of Rule 1865. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding the proposed amendment to Rule 1865. Chairman Shapiro said the item would be continued. He stated a new text that included a minimum fine of \$1,000 would be developed and brought back in the near future for Board action.

REPORT AND UPDATE FROM REPRESENTATIVES OF THE PACIFIC COAST QUARTER HORSE RACING ASSOCIATION REGARDING THE STATUS OF THE QUARTER HORSE TOE GRAB STUDY.

Chairman Shapiro said the Board discussed the possibility of extending the ban on high toe grabs to quarter horses. It was decided, however, that prior to taking any action a study of the effects of high toe grabs on quarter horses should be conducted. Dr. Sue Stover of the University of California at Davis was working with Dr. Mark Martinelli regarding such a study. Dr. Martinelli said the toe grab study had developed into a larger project to examine health and safety issues in quarter horse racing in general. The study began by analyzing data collected from the postmortem program, which had seen 465-quarter horses examined. Dr. Martinelli stated Dr. Stover anticipated that within the next several months she would be able to report on the causes of death of quarter horses over the last 17 years. Dr. Martinelli discussed at length actions taken to gather statistically significant data regarding quarter horses and toe grabs. He stated a survey of trainers, while not providing definitive answers, did reveal differences between quarter horses and thoroughbred racehorses. Such differences were also seen in examining the race records and racing videos of fatally injured quarter horses. Dr. Martinelli spoke about what the racing videos revealed and when data would be available. He said he and Dr. Stover would present some of the data to the American Quarter Horse Association Racing Committee in early March 2008. The goal was to increase awareness of the differences between thoroughbreds and quarter horses, and to secure additional funding to continue the study of racing injuries in quarter horses. Towards those goals an injury report form was implemented at Los Alamitos, and data on toe grabs would be gathered by periodically sampling the racing population. In addition, the study would continue to analyze

factors associated with catastrophic musculoskeletal injuries in the quarter horse. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding quarter horse racing.

REPORT OF THE PARI-MUTUEL/ADW AND SIMULCAST COMMITTEE MEETING.

Commissioner Moss said the Pari-Mutuel/ADW and Simulcast Committee (committee) met on February 27, 2008. The committee discussed the implementation of Assembly Bill 241, which authorized 15 minisatellite wagering facilities in each racing zone in California. Rod Blonien, the lobbyist for the legislation told the committee that minisatellite wagering facilities would be located in sports bars, card clubs and other popular gathering places. The first draft of regulations regarding minisatellite wagering facilities was also presented. Commissioner Moss talked about the provisions of the draft regulations, and stated staff and the industry would continue to work on the rules. The committee discussed a possible amendment to Rule 1606, Coupling of Horses. The discussion was the result of an item on the January 2008 Regular Board Meeting agenda. Vice-Chairman Harris suggested uncoupling horses when there was cross ownership, but the ownerships did not exactly mirror each other and the horses had different trainers. The Thoroughbred Owners of California indicated it no longer opposed abolishing coupling altogether. The committee also discussed and endorsed eliminating coupling for all non-overnight stakes races. Sherwood Chillingworth of Oak Tree Racing Association requested the committee endorse the elimination of coupling for the Breeders' Cup for 2008 and 2009. The World Poker Tour made a presentation regarding its proposed new wager. Finally, the committee discussed possible new wagers, including the future book wager on signature races at California racetracks.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED ADDITION OF RULES TO IMPLEMENT AB 241, STATUTES OF 2007, WHICH ALLOWS THE ADDITION OF 15 MINISATELLITE WAGERING FACILITIES IN EACH CALIFORNIA RACING ZONE.

Jacqueline Wagner, CHRB staff, said the item before the Board was a draft of regulations for the implementation of Assembly Bill 241, Statutes of 2007, which would allow the addition of 15 minisatellite wagering facilities in each California racing zone. Staff and the industry would hold a meeting in the near future to work on the draft proposal. The item would be brought back to the Board for discussion and action. Chairman Shapiro said the Board wanted to implement the regulations as soon as possible. He added Commissioner Moss raised the issue of increasing the 2 percent commission for minisatellite facilities as an economic incentive. That would require legislation. He commented existing satellite facilities could also benefit from an increase in the takeout. Commissioner Moss said the added income could be used to refurbish existing facilities, and perhaps the entire satellite network could be improved.

DISCUSSION AND ACTION BY THE BOARD REGARDING CHRB RULE 1606, COUPLING OF HORSES.

Commissioner Moss **motioned** to waive (Under Rule 1406, Suspension of Rule) the coupling requirement of Rule 1606, Coupling of Horses, for the Breeders' Cup races in 2008 and 2009. Chairman Shapiro **seconded** the motion, which was **unanimously carried**. Commissioner Moss **motioned** to waive (under Rule 1406) the coupling requirement of Rule 1606 for all non-overnight stakes races. Chairman Shapiro **seconded** the motion, which was **unanimously carried**. Chairman Shapiro said staff would develop for Board discussion an amendment to Rule 1606 that would waive the coupling requirement when two horses were owned by

different partnerships, and there was cross ownership, but the partnerships were not mirror images, and there were different trainers. Marsha Naify of Thoroughbred Trainers of California said her organization did not oppose the proposal. Chairman Shapiro **motioned** to waive (under Rule 1406) the coupling requirement of Rule 1606 when two horses were owned by different partnerships, and there was cross ownership, but the partnerships were not mirror images, and there were different trainers. Commissioner Choper **seconded** the motion, which was **unanimously carried**. Jerry Jamgotchian, a horse owner, spoke about his concerns regarding Rule 1606.

**DISCUSSION AND ACTION BY THE BOARD REGARDING THE FEASIBILITY OF
ADDING A NEW WAGER SPONSORED BY THE WORLD POKER TOUR.**

Drew Couto of Thoroughbred Owners of California (TOC) stated the issue was not a TOC initiative. The item would go to the TOC board in March 2008 for discussion and possible endorsement. Billy Koch of Little Red Feather Racing said representatives of the World Poker Tour (WPT) and interested horse racing interests worked to develop a wager that would re-energize horse racing. Mr. Couto said the proposed wager was a tournament style pari-mutuel wager. That meant it was a fixed-price wager based on tournament style play, using win, place, or show wagers, only. The wager would encompass multiple races or rounds, so it could be three, five or seven races – or more – depending on how long the tournament was set. Each round of the wager would be made individually after the conclusion of the prior race. The winner would be determined by the cumulative total of earnings. The association would set the cost of the wager, and the number of races that completed the wager. If the wager was \$25, that \$25 would go into the pari-mutuel pool, and the player would receive \$100 in fantasy

money. Each round of the tournament would consist of a fantasy win, place or show wager, or any combination, on one horse. A player could pass on any round. There would be no minimum fantasy wager per event. Players could wager only \$2 or they could wager everything. Mr. Couto stated Scientific Games currently had the technology and software in place to accommodate the wager. The technology was also available to allow participation on-track or through advance deposit wagering accounts. The top five winners would be determined by their bankrolls at the end of the final leg. The net pari-mutuel pool would be distributed among the top 5 percent of players who participated in the tournament. The WPT's objective was to create a simple, standardized tournament style wager; much like it did with poker. The nice thing about the wager was that anyone could play. The ideal objective was to get people to the track to play the wager with a television show. Televised events would be played live. A key to the televised success would be a televised tour, where sets would be brought to the racetrack. A television show would be produced and broadcast after the race. Ultimately, there would be a large national tournament at the end of the year. Mr. Couto discussed at length the takeout and distribution of the WPT wager. Steve Lipscomb of the WPT spoke about the rise of the WPT and why it was so popular. He stated the WPT saw parallels in horse racing and it believed it could create a pari-mutuel wager that would bring new fans to the sport. Chairman Shapiro said he was certainly aware of the WPT phenomenon. The concept of a WPT pari-mutuel wager was terrific, and if the Board could move it forward, it would. Mr. Couto commented the proposed regulations were submitted to the Racing Commissioners International Model Rules Committee, which unanimously endorsed the idea. The proposed draft regulations would be circulated to Board staff and the industry.

Hopefully, they could be finalized and put out for public comment. Commissioner Moss stated the Pari-Mutuel/ADW and Simulcast Committee thought the WPT concept was a good idea, and it was up to the racing associations to figure out how to accommodate it and go forward.

DISCUSSION AND ACTION BY THE BOARD REGARDING A PROPOSAL FOR A FUTURE BOOK WAGER FOR SIGNATURE RACES HELD AT EACH CALIFORNIA RACE MEETING.

Drew Couto of Thoroughbred Owners of California stated the Board allowed racing associations to utilize Association of Racing Commissioner International (ARCI) wagers if they did not conflict with its rules. An ARCI model rule existed for future book wagers, so the Board could authorize its use. The idea was for future book wagers on signature races that racing associations could use as marketing tools. They would give fans something to think about and handicap leading up to the race. Deputy Attorney General said if the ARCI rules allowed for a future book wager the Board could authorize its use. Chairman Shapiro stated if an association wished to offer a future book wager, it should note its intentions on its application. Vito Francisco, a horse owner, said he was interested in applying to operate a minisatellite wagering facility. He stated he noted in the draft regulations that a potential operator would be required to obtain several agreements prior to receipt of a license. That seemed to be a backwards approach to the issue, as in his experience with liquor licenses, the license was granted prior to arranging contracts and agreements. It would be more logical to issue the minisatellite license prior to an operator obtaining a lease and other agreements, as without a license it could prove very difficult for a potential minisatellite operator to obtain the required agreements. Chairman Shapiro said that was excellent information. He asked if Mr.

Vito would review the draft regulations and provide staff with additional comments if necessary.

REPORT AND UPDATE FROM THE THOROUGHBRED OWNERS OF CALIFORNIA REGARDING THE STATUS OF THE CALIFORNIA JOCKEY WELFARE CORPORATION AND THE NEW HEALTH INSURANCE THAT HAS BEEN IMPLEMENTED FOR ELIGIBLE CALIFORNIA JOCKEYS.

Drew Couto of Thoroughbred Owners of California (TOC) said the California Jockey Welfare Corporation (CJWC) contracted with Great Western Insurance to provide health insurance for California riders. Vision and dental insurance for riders was obtained through the same insurance brokerage. The projected funding would pay two-thirds of the cost of health, dental and vision benefits for riders, who would be responsible for the remaining one-third of costs. The cost projections were for a three-year period. Barry Broad of the Jockey's Guild (Guild) said the TOC did a good job putting together the CJWC and arranging insurance benefits. The transition was smooth, and the program was moving forward. Mr. Couto stated the Guild and TOC recognized the program would not fund disability and life insurance, so there would be an amendment to the contract recognizing that fact. Mr. Broad said the future of the program was problematic because it was funded through unclaimed refunds, which were not growing; however, healthcare costs were experiencing double digit increases. Commissioner Moretti asked what the Guild would do in the interim to figure out how to fund future benefits. Mr. Broad said the current answer was the Guild did not have an identified source of income. The program covered jockeys who were not high-income individuals, so a funding source would have to be identified. Mr. Couto stated the first year of the program would cover 90 percent of the costs, and in its first three years should not go into the red. In the future, a less rich

program with a lower subsidy may be implemented. He added the parties would continue to look for additional funding.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSAL FROM THE THOROUGHBRED OWNERS OF CALIFORNIA TO TRANSFER THE FINANCIAL ADMINISTRATION OF UNCLAIMED REFUNDS, USED TO PROVIDE HEALTH AND WELFARE BENEFITS TO ELIGIBLE CALIFORNIA JOCKEYS PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 19612.9, FROM THE CHRB TO THE CALIFORNIA JOCKEY WELFARE CORPORATION.

Francisco Gonzales, CHRB staff, said in November 2005 staff took control of the administration of unclaimed refunds and made monthly distributions to the Jockey's Guild (Guild). In January 2008 the California Jockeys Welfare Corporation (CJWC) began providing health and welfare benefits for California licensed jockeys. The CJWC was requesting approval to take responsibility for the financial administration of the uncashed refunds. Mr. Gonzales said the CJWC should have a system for internal control in place and it should be able to provide the Board with a schedule of the general and administrative costs. Drew Couto of the Thoroughbred Owners of California (TOC) said the Board was responsible for billing and collecting the funds from the racetracks; however, the CJWC was proposing a contract with Southern California Off Track Wagering, Incorporated (SCOTWINC) to provide all the financial administration, bookkeeping, and auditing for the program. The CJWC was requesting that the Board transfer the funds to the CJWC bank account, which was controlled by SCOTWINC. The racetracks would be billed on a regular basis, with a copy of the bills sent to the Board. Up to 15 percent of the funds could be used for administrative expenses, but under an agreement between TOC and the Guild, only 10 percent of the funds would be required. Mr. Couto explained the distribution of the administrative funds as they were

currently used. Barry Broad of the Guild said his organization supported the request. Commissioner Choper asked when the first audit was due. Mr. Couto said the CJWC was initiated in January 2008, and the audit was not due until 90 to 120 days after the close of its fiscal year, which was December 31, 2008. Commissioner Moss **motioned** to approve the request by TOC to transfer the financial administration of unclaimed refunds from the CHRB to the CJWC. Commissioner Choper **seconded** the request, which was **unanimously carried**.

REPORT AND PRESENTATION FROM REPRESENTATIVES OF THE SAN MATEO COUNTY EVENT CENTER REGARDING THEIR PREPARATIONS FOR OPENING A SATELLITE WAGERING FACILITY.

Chairman Shapiro stated the item would be deferred.

DISCUSSION AND ACTION BY THE BOARD ON THE DISTRIBUTION OF RACE DAY CHARITY PROCEEDS OF THE BAY MEADOWS RACING ASSOCIATION IN THE AMOUNT OF \$46,182 TO FOUR BENEFICIARIES.

Commissioner Moretti **motioned** to approve the request by Bay Meadows Racing Association to distribute charity race day proceeds. Commissioner Choper **seconded** the motion, which was **unanimously carried**.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE ANNOUNCEMENT OF CLOSED SESSION BOARD ACTION, AND ROLL CALL VOTE THEREON, TO HIRE AN EXECUTIVE DIRECTOR (IF NECESSARY).

The announcement of the hiring of the new Executive Director, Kirk Breed, was made at the opening of the meeting.

PUBLIC COMMENT

Jerry Jamgotchian, a horse owner, spoke about his concerns regarding horse racing related issues.

MEETING ADJOURNED AT 5:12 P.M.

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

MARCH 27, 2008
REGULAR BOARD MEETING

There is no board package material for item 2

STAFF ANALYSIS

March 27, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE HOLLYWOOD PARK RACING ASSOCIATION, LLC AT HOLLYWOOD PARK APRIL 23, 2008 THROUGH JULY 13, 2008.

Hollywood Park Racing Association, LLC filed its application to conduct a thoroughbred horse racing meeting at Hollywood Park:

- April 23 through July 13, 2007, or 60 days. The association proposes to race a total of 516 races, or 8.60 per day. In 2007 they raced 8.70 races per day with an average of 8.14 runners per race. In 2007 they were allocated to race 63 days the (actual) average daily purse for the meet was \$457,488. The (estimated) average daily purse for this meet is \$468,568.
- The race dates proposed are the dates the Board allocated.

April - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	29	30	31	

- Racing 5 days per week, Wednesdays through Sunday, with 8 races on Wednesday, Thursdays, Fridays and 9 or 10 races on a selected basis on Saturdays and Sundays, with 9 races on April 25, 11 races on May 3, 7, June 7, 28 and July 5.
 - Request the option of racing Thursday through Monday pending the results of the Santa Anita race meeting.
- First post 1:20 p.m. daily.
 - 7:05 p.m. post Fridays with the exception of the May 2 and July 4th afternoon card.
 - 12:30 p.m. post April 27 Gold Rush Day.
 - 12:00 p.m. post May 3rd Kentucky Derby, May 17th Preakness, June 7, 28 and July 5.
 - May 3, 17 and June 7th post times will be adjusted to coordinate with Triple Crown races.
- Request Jennifer Paige be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.

- Wagering program will use CHRB rules.
 - Early wagering 8:30 a.m. on the day of racing and advance-day wagering.
 - \$1 trifecta in any race that complies with Rule 1979 and a \$.10 superfecta in any race that complies with Rule 1979.1.
 - Pick 6 on last 6 races - 70% of net pool to be retained for the jackpot and no cap be set.
 - Pick 4 on first 4 races and last 4 races - designate the major share as 0%.
 - Offering option of an alternate selection in the place pick all, pick 6 and pick 4.
 - Super High Five on the last race in accordance with ARCI Pick(n) Position(x) pools rules.
- The Advance Deposit Wagering (ADW) providers are TVG, Youbet, Xpressbet and Twinspires.
- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing completed.

Specific information **still needed** to complete this application includes

1. Horesmen's agreement.
2. Audited Financials

RECOMMENDATION:

Staff recommends that the application for license not be heard until the Horsemen's agreement is received.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions (B&P) Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT ASSOCIATION

- A. **Hollywood Park Racing Association, LLC**
1050 South Prairie Avenue
Inglewood, California 90301
(310) 419-1500 phone
(310) 671-4460 fax

B. Breed of horse: ☒ TB ☐ QH ☐ H

C. Racetrack name: **Hollywood Park**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to B&P Code Section 19490. **On File**

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF MEETING

A. Inclusive dates for the entire meeting: **April 23 through July 13, 2008.**

B. Actual dates racing will be held: **April 23, 24, 25, 26, 27, 30, May 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 29, 30, 31, June 1, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, July 2, 3, 4, 5, 6, 9, 10, 11, 12, 13**

C. Total number of days or nights of racing: **60**

D. Days or nights of the week races will be held:
☒ Wed - Sun ☐ Tues - Sat ☒ Other (specify)

Racing Monday, May 26. Dark Wednesday May 28. (We respectfully request the option of racing Thursday – Monday pending the results of that format at the current Santa Anita race meeting.)

E. Number of days or nights of racing per week: **5**

3. RACING PROGRAM

A. Total number of races: **516**

B. Number of races for each day or night: **8 races on Wednesdays, Thursdays and Fridays;**
9 or 10 races on a selected basis on Saturdays and Sundays and holidays, with 9 races on

CHRB CERTIFICATION

Application received: **1/23/08**
Deposit received: **on file**
Reviewed: **[signature]**

Hearing date: **3/27/08**
Approved date:
License number:

Friday, April 25; 11 races on Saturdays May 3, May 17, June 7, June 28 and July 5

C. Total number of stakes races: 51 (40 Stakes and 11 overnight stakes)

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D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses. **Attached.**

E. Will provisions be made for owners and trainers to use their own registered colors?



Yes



No

If no, what racing colors are to be used:

F. List all post times for the daily racing program:

<i>Race</i>	All days except Thursday July 3, Friday nights, Saturdays May 3, 17, June 7, June 28 & July 5 and Sunday April 27	Thursday July 3 and Fridays (except May 2 and July 4 afternoon cards)	Sunday April 27 (Gold Rush Day)	**Saturday May 3 (Kentucky Derby Day) Saturday May 17 (Preakness Day) Saturday June 7 (Belmont Day) Saturday June 28 (Gold Cup Day) & Saturday July 5 (American Oaks Day)
1 st	1:20 pm	7:05 pm	12:30 pm	12:00 noon
2 nd	1:50 pm	7:35 pm	1:02 pm	12:31 pm
3 rd	2:20 pm	8:05 pm	1:34 pm	1:02 pm
4 th	2:50 pm	8:35 pm	2:06 pm	1:34 pm
5 th	3:20 pm	9:05 pm	2:41 pm	2:06 pm
6 th	3:50 pm	9:35 pm	3:14 pm	2:44 pm
7 th	4:20 pm	10:05 pm	3:46 pm	3:17 pm
8 th	4:50 pm	10:32 pm	4:18 pm	3:50 pm
9 ^{th*}	5:20 pm	10:59 pm	4:48 pm	4:21 pm
10 ^{th*}	5:50 p.m.		5:18 pm	4:50 pm
11 ^{th *}				5:19 pm

* When applicable

** May 3, May 17 & June 7 post times will be adjusted to coordinate with the Triple Crown tracks races

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to B&P Code Section 19568(b).

4. RACING ASSOCIATION

- A. Association is a: ☐ Corporation (complete subsection C)
☒ LLC (complete subsection D)
☐ Other (specify, and complete subsection E)

B. Complete the applicable subsection and attached Addendum, Background Information and Ownership. **On file**

C. CORPORATION – N/A

2008 SPRING/SUMMER OVERNIGHT STAKES SCHEDULE

<u>DATE</u>	<u>STAKE</u>	<u>PURSE/DISTANCE</u>
Friday April 25	HARRY HENSON STAKES Three Year Olds	\$75,000 Added Six Furlongs (Turf)
Saturday May 17	DESERT STORMER HANDICAP Fillies & Mares, Three Year Olds & Upward	\$75,000 Added Six Furlongs
Friday May 23	QUICKEN TREE STAKES Four Year Olds & Upward, California-Bred	\$75,000 Added One Mile & One Half (Turf)
Saturday May 24	ALYDAR STAKES Three Year Olds	\$75,000 Added One Mile & One Eighth
Sunday May 25	WILLARD L. PROCTOR MEMORIAL STAKES Two Year Olds	\$75,000 Added Five & One Half Furlongs
Sunday May 25	CINDERELLA STAKES Fillies, Two Years Old	\$75,000 Added Five & One Half Furlongs
Saturday May 31	MANHATTAN BEACH STAKES Fillies, Three Years Old	\$75,000 Added Six Furlongs (Turf)
Saturday June 7	REDONDO BEACH STAKES Fillies & Mares, Three Year Olds & Upward Non-winners of a Grade I or II in 2008 at one mile or over	\$75,000 Added One Mile (Turf)
Saturday June 14	THE ROUND TABLE HANDICAP Three Year Olds & Upward	\$75,000 Added One Mile & Three Quarters (Turf)
Sunday June 22	VALKYR STAKES Fillies & Mares, Three Year Olds & Up, California Bred	\$75,000 Added Six Furlongs
Sunday July 6	ROBERT K. KERLAN MEMORIAL HCP. Three Year Olds & Upward	\$75,000 Added Six Furlongs (Turf)

HOLLYWOOD PARK

2008 SPRING/SUMMER STAKES SCHEDULE

<u>DATE</u>	<u>STAKE</u>	<u>PURSE/DISTANCE</u>
Wed. April 23	WILSHIRE HANDICAP (GRADE III) Fillies & Mares, Three Year Olds & Upward	\$100,000 Added One Mile (Turf)
Saturday April 26	MERVYN LEROY HANDICAP (GR. II) Three Year Olds & Upward	\$150,000 One Mile & One Sixteenth
*****CAL NATIONAL GOLD RUSH*****		
Sunday April 27	CAL NATIONAL SNOW CHIEF STAKES Three Year Olds, Bred in California	\$250,000 # One Mile & One Eighth
	MELAIR STAKES Fillies, Three Years Old, Bred in California	\$200,000 @ One Mile & One Sixteenth
	KHALED STAKES Four Year Olds & Upward, California Bred	\$150,000 @ One Mile & One Eighth (Turf)
	FRANS VALENTINE STAKES Fillies & Mares, Four Year Olds & Upward Bred in California	\$150,000 @ One Mile & One Sixteenth (Turf)
	B. THOUGHTFUL STAKES Fillies & Mares, Four Year Olds & Upward Bred in California	\$150,000 Seven Furlongs
	TIZNOW STAKES Four-Year-Olds & Upward, Bred in California	\$150,000 Seven & One Half Furlongs
Saturday May 3	INGLEWOOD HANDICAP (GRADE III) Three Year Olds & Upward	\$100,000 Added One Mile & One Sixteenth (Turf)
Sunday May 4	HAWTHORNE HANDICAP (GRADE III) Fillies & Mares, Three Year Olds & Upward	\$100,000 Added One Mile & One Sixteenth
Saturday May 10	JIM MURRAY MEMORIAL HCP. (GII) Three Year Olds & Upward	\$250,000 One Mile & One Half (Turf)
	LOS ANGELES HANDICAP (GR. III) Three Year Olds & Upward	\$100,000 Added Six Furlongs
	SENORITA STAKES (GRADE III) Fillies, Three Years Old	\$100,000 Added One Mile (Turf)
Sunday May 11	RAILBIRD STAKES (GRADE III) Fillies, Three Years Old	\$100,000 Added Seven Furlongs

Saturday May 17	WILL ROGERS STAKES (GRADE III) Three Year Olds	\$100,000 Added One Mile (Turf)	PAGE 3-7
Sunday May 18	LAZARO S. BARRERA MEM. STKS (GIII) Three Year Olds	\$100,000 Added Seven Furlongs	
Monday May 26	SHOEMAKER BREEDERS' CUP MILE (GR I) Three Year Olds & Upward	\$250,000 Added * One Mile (Turf)	
	THE GAMELY BREEDERS' CUP STAKES (GR I) Fillies & Mares, Three Year Olds & Upward	\$250,000 Added * One Mile & One Eighth (Turf)	
Saturday May 31	THE CALIFORNIAN (GRADE II) Three Year Olds & Upward	\$250,000 One Mile & One Eighth	
	MILADY BREEDERS' CUP HCP. (GII) Fillies & Mares, Three Year Olds & Upward	\$175,000 Added * One Mile & One Sixteenth	
Sunday June 1	THE GALLANT MAN Three Year Olds & Upward	\$100,000 Added One Mile and Five Furlongs	
Saturday June 7	CHARLES WHITTINGHAM MEMORIAL HCP (GR I) Three Year Olds & Upward	\$300,000 One Mile & One Quarter (Turf)	
	THE ACK ACK HANDICAP (GIII) Three Year Olds & Upward	\$100,000 Added Seven & One Half Furlongs	
	HONEYMOON BREEDERS' CUP HCP (GRII) Fillies, Three Years Old	\$175,000 Added * One Mile & One Eighth (Turf)	
Sunday June 8	HOLLYWOOD BREEDERS' CUP OAKS (GII) Fillies, Three Years Old	\$150,000 Added * One Mile & One Sixteenth	
Sunday June 15	AFFIRMED HANDICAP (GRADE III) Three Year Olds	\$100,000 Added One Mile & One Sixteenth	
Saturday June 21	CINEMA BREEDERS' CUP HANDICAP (GR III) Three Year Olds	\$150,000 Added * One Mile & One Eighth (Turf)	
*****	*****	*****	
Saturday June 28	HOLLYWOOD GOLD CUP (GRADE I) Three Year Olds & Upward	\$750,000 One Mile & One Quarter	
	AMERICAN HANDICAP (GRADE II) Three Year Olds & Upward	\$250,000 One Mile & One Eighth (Turf)	
	A GLEAM HANDICAP (GR. II) Fillies & Mares, Three Year Olds & Upward	\$150,000 Seven Furlongs	
	LANDALUCE STAKES Fillies, Two Years Old	\$100,000 Added Six Furlongs	

Sunday	BEVERLY HILLS HANDICAP (GRADE II)	\$150,000
June 29	Fillies & Mares, Three Year Olds & Upward	One Mile & One Quarter (Turf)

Fri.	FLAWLESSLY STAKES	\$100,000 Added
July 4	Fillies, Three Years Old	One Mile (Turf)

Saturday	AMERICAN OAKS (GRADE I) - INVITATIONAL	\$750,000
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July 5	PRESENTED BY AMERICAN AIRLINES	
	Three Year Old Fillies (Invitational)	One Mile & One Quarter (Turf)

	CASHCALL MILE (GII) - INVITATIONAL	\$750,000
	Fillies & Mares, Three Year Olds & Upward	One Mile (Turf)

	TRIPLE BEND HCP. (GI) - INVITATIONAL	\$300,000
	Three Year Olds & Upward (Invitational)	Seven Furlongs

	VANITY HANDICAP (GRADE I)	\$300,000
	Fillies & Mares, Three Year Olds & Upward	One Mile & One Eighth

	HOLLYWOOD JUVENILE CHAMPIONSHIP (GR III)	\$100,000 Added
	Two Year Olds	Six Furlongs

Saturday	SWAPS BREEDERS' CUP STAKES (GR. II)	\$350,000 Added +
July 12	Three Year Olds	One Mile & One Eighth

Sunday	SUNSET BREEDERS' CUP HCP (GRADE II)	\$150,000 Added *
July 13	Three Year Olds & Upward	One Mile & One Half (Turf)

+ \$100,000 from Breeders' Cup Fund.

\$40,000 from California Bred Fund.

* \$ 50,000 from Breeders' Cup Fund.

@ \$25,000 from California Bred Fund.

D. LLC

1. Registered name of the LLC: **Hollywood Park Racing Association, LLC**
2. State where articles of organization are filed: **Delaware**
3. Registry or file number for the LLC: **3993456**
4. Names of all officers and directors, titles, and the number of shares of the LLC held by each:

Terrence Fancher, Chairman & Director	0
Jack Liebau, President	0
Kristin Renaudin, Secretary	0
Charlene Kiley, Vice President & Chief Financial Officer	0
Eual Wyatt, Vice President	0
Barbara Helm, Vice President, Finance	0
Martin Panza, Vice President	0
Bernie Thurman, Vice President	0
Michael Ziegler, Vice President	0
Dyan Grealish, Vice President	0
5. Names (true names) of all members, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each: **N/A**
6. Are the shares listed for public trading? ☐ Yes ☒ No
If yes, on what exchange and how is the stock listed:
7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
Stockbridge Real Estate Partners II, LLC is the general partner of the Fund which owns the Applicant
8. Attach the most recent audited annual financial statement for the licensee, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the California Corporations Commission. **To be submitted under separate cover.**

E. OTHER – N/A

F. Management and Staff

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 10B, who will be listed in the official program:
 - F. Jack Liebau, President**
 - Eual G. Wyatt, Jr., Vice President & General Manager**
 - Michael Ziegler, Vice President and Assistant General Manager**
 - Charlene Kiley, Vice President & Chief Financial Officer**
 - Dyan Grealish, Vice President**
 - Barbara Helm, Vice President, Finance**
 - Martin Panza, Vice President-Racing**
 - Bernie Thurman, Vice President**
 - Don Barney, Director of Security & Safety**
 - Cleon Bounds, Property Manager**
 - Bernie Eastridge, Turf Course Superintendent**
 - Diane Hudak, Horsemen's Liaison**
 - Russell Hudak, Timer, Morning Line Maker**
 - Michael Mooney, Director of Media Relations**
 - Robert Poole, Director of Pari-Mutuels**
 - Roger Roman, Director of Broadcasting**

F. Management and Staff (continued)

Vic Stauffer, Track Announcer

Mark Tomes, Plant Superintendent

Cole Younger, Operations Manager

Kerlan-Jobe Orthopedic, Jockeys' Physician

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing address of such person(s) if other than the mailing address of the association:

F. Jack Liebau, President, 2600 South Delaware Street, San Mateo, CA 94403

5. PURSE PROGRAM

Please note that there were 63 race days during the prior meeting compared to 60 race days for the current meeting.

A. Purse distribution:

1. All races other than stakes

Current meet estimate: **\$17,218,700**

Prior meet actual: **\$17,567,345**

Average Daily Purse (5A1 ÷ number of days):

Current meet estimate: **\$286,978**

Prior meet actual: **\$278,846**

2. Overnight stakes:

Current meet estimate: **\$ 825,000**

Prior meet actual: **\$1,230,000**

Average Daily Purse (5A2 ÷ number of days):

Current meet estimate: **\$13,750**

Prior meet actual: **\$19,523**

3. Non-overnight stakes:

Current meet estimate: **\$7,185,000 (does not include sponsor's supplement to stakes)**

Prior meet actual: **\$7,077,150**

Average Daily Purse (5A3 ÷ number of days):

Current meet estimate: **\$119,750**

Prior meet actual: **\$112,335**

B. Stakes races:

1. Purse distribution for all stakes races:

Current meet estimate: **\$8,010,000**

Prior meet actual: **\$8,307,150**

Average Daily Purse (5B1 ÷ number of days):

Current meet estimate: **\$133,500**

Prior meet actual: **\$131,859**

2. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

Current meet estimate: **12%**

Prior meet actual: **12%**

Average Daily Purse (5B2 ÷ number of days):

Current meet estimate: 0.20

Prior meet actual: 0.19

- C. Funds to be generated for all California-bred incentive awards:

Current meet estimate: \$2,110,000

Prior meet actual: \$2,150,000

- D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

Recognized Horsemen's Organization	Current meet estimate:	Prior meet actual:
TOC	\$260,104	\$266,376
CTT - Pension	260,104	266,376
CTT - Admin	130,052	133,188
NTRA	125,106	131,363
Total	\$775,366	\$797,303

- E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (5A + 5C + 5D):

Current meet estimate: \$28,114,066

Prior meet actual: \$28,821,798

Average Daily all sources amount (5E ÷ number of days):

Current meet estimate: \$468,568

Prior meet actual: \$457,488

- F. Purse funds to be generated from on-track handle and intrastate off-track handle:

Current meet estimate: \$18,830,770

Prior meet actual: \$19,427,177

Average Daily Purse (5F ÷ number of days):

Current meet estimate: \$314,718

Prior meet actual: \$308,367

- G. Purse funds to be generated from interstate handle:

Current meet estimate: \$6,404,257

Prior meet actual: \$6,413,116

Average Daily Purse (5G ÷ number of days):

Current meet estimate: \$106,738

Prior meet actual: \$101,795

- H. Bank and account number for the Paymaster of Purses' purse account: **Cal National #On file**

- I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meet:
**Bowen & Mc Beth Inc. 10722 Arrow Highway, Suite 110, Rancho Cucamonga, Ca. 91730
 909/944-6465**

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the association; **shall not** be transferred to a parent corporation outside the State of California; and **shall**, within 3 calendar days following receipt, be deposited in a

segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by B&P Code Section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

6. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1,950**
- B. Minimum number of stalls believed necessary for the meeting: **1,950**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **2,500**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:
- | | |
|---------------------------|--------------|
| Santa Anita | 1,500 |
| Pomona | 500 |
| San Luis Rey Downs | 500 |
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **On file**

Complete subsections F through H if the association will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available on-site for the **1986** meeting: **2,000**
- G. Estimated cost to provide off-site stalls for this meeting: **\$2,500,000**. Show cost per day per stall:
Average cost: \$11.90
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse: **\$325,000**
- | | | |
|------------------------|---------------------|--------------|
| Roundtrip from: | Santa Anita | \$180 |
| | Pomona | \$200 |
| | San Luis Rey | \$320 |
| | Los Alamitos | \$180 |

7. PARI-MUTUEL WAGERING PROGRAM

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the

minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES
Race #1 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PPN	CHRB 1976.8 (Covering Races 1 - 10)
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
	\$1 PNP (Pick 4)	CHRB 1976.9
Race #2 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
Race #3 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
	\$2 PNP (Pick 6 when 8 races)	CHRB 1976.9
Race #4 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
	\$2 PNP (Pick 6 when 9 races)	CHRB 1976.9
Race #5 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
	\$2PNP (Pick 6 when 10 races)	CHRB 1976.9
	\$1PNP (Pick 4 when 8 races)	CHRB 1976.9
Race #6 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3	CHRB 1977
	\$2Q	CHRB 1958
	\$1PNP (Pick 4 when 9 races)	CHRB 1976.9
Race #7 *	\$2DD	CHRB 1957
	\$1E	CHRB 1959
	\$1PK3 (when 9 or more races)	CHRB 1977
	\$2Q	CHRB 1958
	\$1PNP (Pick 4 when 10 races)	CHRB 1976.9
Race #8 *	\$2 DD (when 9 or more races)	CHRB 1957
	\$1E	CHRB 1959

7. PARI-MUTUEL WAGERING PROGRAM (continued)

Race #9 *

\$1E

CHRB 1959

\$2Q

CHRB 1958

\$2 DD (when 10 races)

CHRB 1957

\$1PK3 (when 11 races)*

CHRB 1977

Race #10*

\$1E

CHRB 1959

\$2Q

CHRB 1958

\$2 DD (when 11 races)*

CHRB 1957

* Race 11 (May 3, 17, June 7, 28 and July 5)

\$1E

CHRB 1959

\$2Q

CHRB 1958

* \$1 Trifecta in any race when we can comply with CHRB Rule 1979. 10 cent Superfecta in any race when we can comply with CHRB Rule 1979.1. The Pick 6 [P(n)P] will be offered on the last 6 races of the card. In accordance with CHRB Rule 1976.9 we designate that seventy percent (70%) of the net Pick 6 pool be retained for the jackpot and that no cap be set on the jackpot. A Pick 4 (PnP) will be offered on the first 4 and last 4 races of the card. In accordance with CHRB Rule 1976.9 we designate that major share of the Pick 4 pool be designated as 0%. Additionally, we will offer our patrons the option of an alternate selection pick in the place Pick All and Pick 6 and Pick 4. Additionally we will offer Win, Place or Show parlay wagering in accordance with CHRB 1954.1. We will also offer the \$1 Super High Five on the last race of the card in accordance with the ARCI Pick(n) Position(x) pools rule.

NOTE: Applicant reserves the right to offer or substitute additional wagers approved prior to or during its meeting.

- B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **Closing day, July 13, 2008**
- C. List any options requested with regard to exotic wagering: **B & P Code Section 19611.5**
- D. Will "advance" or "early bird" wagering be offered? ☒ Yes ☐ No
If yes, when will such wagering begin: **8:30 am on the day of and advance-day wagering.**
- E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:
Scientific Games, September 2012

8. ADVANCE DEPOSIT WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the association for this race meeting: **TVG, YouBet, Xpress Bet & Twinspires.com (Television provider will be TVG)**

9. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the association to conduct simulcast wagering: **Southern California Off-Track Wagering, Inc. (SCOTWINC)**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools. **On File with CHRB**

Attachment A – Section 9D and 9E

Out of State Wagering Systems the association proposes to offer its live audiovisual signal.

Common Pool Locations	Common Pool Locations	Common Pool Locations
AmWest Entertainment	Hinsdale Greyhound Park	Presque Isle Downs
Cypress Bayou Casino (LA)	Hoosier Park @ Anderson	Raceway Park
Rider's Up OTB (SD)	Horsemen's Park	Racing World
Time Out Lounge (SD)	Indiana Downs	Racing US
Triple Crown OTB (SD)	Evansville OTB	Victor Chandler
Arapahoe Park	Clarksville OTB	Raynham Taunton Greyhound
Arima Race Club		Raynham Taunton Greyhound ADW (MA only)
Arlington Park	Jackson-Harness Raceway	Remington Park
Atlantic City Race Course	Keeneland	Retama Park
Atokad Downs	Kentucky Downs	RGS
Balmoral Park/Maywood Park	Lebanon Raceway	River Downs
Bangor Historic Track/Millers OTB	Les Bois Park	Rockingham Park
Beulah Park	Lewiston Raceway	Rockingham Park ADW (NH only)
Birmingham Race Course	Lien Games	Seabrook Greyhound
Blue Ribbon Downs	Chips Lounge and Casino	Rosecroft Raceway
Bluff's Run Greyhound	El Rancho Motor Hotel OTB	Royal River Racing
Buffalo Raceway	Idaho Falls Racing OTB	Ruidoso Downs
Calder Race Course	North Dakota Horse Park	Sam Houston Race Park
Canadian Associations	Rumors OTB	Valley Greyhound Park
Canterbury Park	Aberdeen Racing OTB	Saratoga Raceway
Capital District OTB	Mitch's Grandstand OTB	Scarborough Downs
Catskill Regional OTB	Clubhouse Lounge @ ND Horse Park	Scioto Downs
Charles Town Race Course	Skydancer Casino OTB	Southland Greyhound
Choctaw Racing Services	Lincoln Greyhound Park	Sports Creek Raceway
Oneida Bingo	Lone Star Park	Suffolk Downs
Comanche Nation Games	Louisiana Downs	Pat's Pizza OTB (ME)
Churchill Downs	LVDC	Suffolk Regional OTB
Churchill Downs ADW	Atlantis Paradise Island Casino	Sunland Park
Coeur d'Alene Casino & Acct. Wagering	Cities of Gold/Pojoaque	SunRay Park
Colonial Downs	Elite Turf Club	The Greyhound Park @ Post Falls
Colonial Downs ADW (VA only)	Elite Turf Club #2	The Lodge @ Belmont
Columbus Races	Elite Turf Club #3	The Lodge @ Belmont ADW (NH only)
Connecticut OTB	Foxwoods Resort and Casino	The Meadows
Divi Carina Bay Casino	Meskwaki Bingo & Casino	Thistledown
Ho-Chunk Casino	Stables, The	Tioga Downs
John Martin's Manor	MagnaBet	Tri-State Greyhound
Mohegan Sun Casino	Manor Downs	TRN (US)
Pony Bar Simulcast Center	Maryland Jockey Club	TRN (INTL)
Randall James Racetrack	Meadowlands/Monmouth	Turf Paradise
Royal Beach Casino	Meadowlands/Monmouth ADW (NJ only)	Turfway Park
Shoreline Star Greyhound	Montana Simulcast Partners	TVG
Tote Investment Racing Service	Monticello Raceway	Vernon Downs
Corpus Christi Greyhound	Mountaineer Park	Western Region OTB
Dairyland Greyhound Park	Mount Pleasant Meadows	Wheeling Downs
Delaware Park	Nassau Regional OTB	Wichita Greyhound
Delta Downs	Nebraska State Fair Park	Will Rogers Downs
Dover Downs	Nevada Pari-Mutuel Association	Wonderland Greyhound
Downs @ Albuquerque	New Jersey Casinos	Woodlands
Ellis Park	Newport Jai-Alai	Wyoming OTB
Emerald Downs	New York City OTB	Xpressbet
Evangelina Downs	New York Racing Association	Yavapai Downs

Fair Grounds
Fair Meadows
Finger Lakes
Fonner Park
Freehold Raceway
Gillespie County Fair
Global Wagering Solutions (MEC Intl.)
MagnaBet
Great Lakes Downs
Greenetrack
Gulf Greyhound Park
Harrah's Chester Downs
Harrington Raceway
Hawthorne Race Course
Hazel Park

Northfield Park
Cedar Downs OTB
Northville Downs
Oaklawn Park
Ocean Downs
Penn National
Penn National ADW (PA only)
Philadelphia Park
Philadelphia Park ADW (PA only)
Plainridge Race Course
Plainridge Race Course ADW (MA only)
Pocono Downs
Pocono Downs ADW (PA only)
Portland Meadows
Prairie Meadows

Yonkers Raceway
Youbet
Zia Park

Separate Pool Locations
Hipodromo Presidente Remon
LV Disseminator (NV)
MIR/Caliente

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Arlington	5/02/08 – 7/13/08	Full Card or Partial Cards
Assiniboia	5/02/08 – 7/13/08	Full Card or Partial Cards
Beulah	4/23/08 – 5/03/08	Full Card or Partial Cards
Calder	4/23/08 – 7/13/08	Full Card or Partial Cards
Canterbury	4/25/08 – 7/13/08	Full Card or Partial Cards
Churchill Downs	4/26/08 – 7/06/08	Full Card or Partial Cards
Delaware Park	4/26/08 – 7/13/08	Full Card or Partial Cards
Ellis Park	7/04/08 – 7/13/08	Full Card or Partial Cards
Emerald	7/23/08 – 7/13/08	Full Card or Partial Cards
Evangeline Downs	4/23/08 – 7/13/08	Full Card or Partial Cards
Fort Erie	5/03/08 – 7/13/08	Full Card or Partial Cards
Hastings Park	4/26/08 – 7/13/08	Full Card or Partial Cards
Hawthorne Park	4/23/08 – 4/28/08	Full Card or Partial Cards
Indiana Downs	4/25/08 – 7/08/08	Full Card or Partial Cards
Keeneland	4/23/08 – 4/25/08	Full Card or Partial Cards
Lone Star	4/23/08 – 7/13/08	Full Card or Partial Cards
Louisiana Downs	5/17/08 – 7/13/08	Full Card or Partial Cards
Monmouth	5/09/08 – 7/13/08	Full Card or Partial Cards
Mountaineer Park	4/23/08 – 7/13/08	Full Card or Partial Cards
Northlands Park	6/20/08 – 7/13/08	Full Card or Partial Cards
NYRA-Aqueduct	4/23/08 – 4/26/08	Full Card or Partial Cards
NYRA-Belmont	4/30/08 – 7/13/08	Full Card or Partial Cards
Penn National	4/23/08 – 7/13/08	Full Card or Partial Cards
Philadelphia Park	4/23/08 – 7/13/08	Full Card or Partial Cards
Pimlico	4/23/08 – 6/07/08	Full Card or Partial Cards
Prairie Meadows	4/23/08 – 7/13/08	Full Card or Partial Cards
Presque Isle	5/09/08 – 7/13/08	Full Card or Partial Cards
River Downs	4/23/08 – 7/13/08	Full Card or Partial Cards
South America	4/23/08 – 7/13/08	Full Card or Partial Cards
Stampede Park	4/23/08 – 6/15/08	Full Card or Partial Cards
Suffolk Downs	5/03/08 – 7/13/08	Full Card or Partial Cards
SunRay Park	4/23/08 – 6/29/08	Full Card or Partial Cards
Tampa Bay	4/23/08 – 5/04/08	Full Card or Partial Cards
Thistledown	5/01/08 – 7/13/08	Full Card or Partial Cards
Turf Paradise	4/23/08 – 5/04/08	Full Card or Partial Cards
United Kingdom	4/23/08 – 7/13/08	Full Card or Partial Cards
Woodbine	4/23/08 – 7/13/08	Full Card or Partial Cards

Additional cards and/or races pending negotiations

- C. California simulcast facilities the association proposes to offer its live audiovisual signal:

NORTHERN CALIFORNIA

Alameda County Fair, Pleasanton
Bay Meadows, San Mateo
Big Fresno Fair, Fresno
California State Fair & Exposition, Sacramento
Club One, Fresno
Golden Gate Fields, Albany
Kern County Fair, Bakersfield
Monterey County Fair, Monterey
Redwood Acres Fair, Eureka
San Mateo County Fair, San Mateo
San Joaquin County Fair, Stockton
Santa Clara County Fair, San Jose
Shasta District Fair, Anderson
Solano County Fair, Vallejo
Sonoma County Fair, Santa Rosa
Stanislaus County Fair, Turlock
Tulare County Fair, Tulare

SOUTHERN CALIFORNIA

Barona Casino, Lakeside
Fantasy Springs Casino (Cabazon), Indio
Del Mar Thoroughbred Club, Del Mar
Hollywood Park, Inglewood
Desert Expo Centre, Indio
The Farmers Fair, Perris
Antelope Valley Fair, Lancaster
Santa Barbara County Fair, Santa Maria
Los Alamitos Racecourse, Los Alamitos
Mid-State Fair, Paso Robles
National Orange Show, San Bernardino
Fairplex Park, Pomona
Santa Anita, Arcadia
Viejas Casino & Turf Club, Alpine
Earl Warren Showgrounds, Santa Barbara
Sycuan Gaming Center, El Cajon
Ventura County Fair, Ventura
San Bernardino County Fair, Victorville

- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:
Attachment "A"
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:
Attachment "A"
- F. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **See Attachment "B"**

NOTICE TO APPLICANT: B&P Code Section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
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- G. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **N/A**

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
--------------------	------------	---

- H. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **N/A**

HARNESS SIMULCAST RACES TO BE IMPORTED

Name of Host Track Race Dates Full Card or Selected Feature and/or Stakes Races

- I. For **ALL** racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported: **Wagering will be offered on all races conducted or imported by Los Alamitos (Quarter Horse) and Cal Expo (Harness)**

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track Breed of Horse Race Dates Number of Races to be Imported

- J. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Section 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **N/A**

NOTICE TO APPLICANT: All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific **written** approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of B&P Code Sections 19596, 19596.1, 19596.2, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

10. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Hollywood Park Racing Charities, 1050 South Prairie Avenue Inglewood, California 90301 310-419-1518**

- B. Names and addresses of the trustees or directors of the distributing agent:

Tirso del Junco, M.D.
Chairman & President
761 Terminal St. #1
Los Angeles, CA 90021

Miss Angie Dickinson
Treasurer
P. O. Box 369
Inglewood, CA 90306

Mr. Willie D. Davis
Vice-President
P. O. Box 369
Inglewood, CA 90306

Mrs. Barbara Knight
Secretary
P. O. Box 369
Inglewood, CA 90306

Rick Baedeker
c/o Hollywood Park
1050 South Prairie Ave
Inglewood, CA 90301

Alvin Segel, Esq.
Irell & Manella
1800 Avenue of the Stars, #900
Los Angeles, CA 90067

- C. Dates the association will conduct races as charity racing days OR:

- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? ☒ Yes

NOTICE TO APPLICANT: Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of B&P Code Section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 20% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of B&P Code Section 19556(b).

11. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

A. Racing officials nominated:

Association Veterinarian(s)	Jill Bailey, D.V.M.
Clerk of Scales/Film Specialist	Ruben Hernandez
Clerk of the Course	Melanie Stubblefield
Horse Identifier	Jennifer Paige
Horseshoe Inspector	Louis Damore
Paddock Judge/Patrol Judge	Ken Goldberg
Patrol Judge	Heather Correa
Placing Judges	Bob Moreno
	Kevin Colosi
Starter	Gary Brinson
Timer	Russell Hudak

B. Management officials in the racing department:

Director of Racing	N/A
Racing Secretary	Martin Panza
Assistant Racing Secretary	Richard Wheeler and Daniel Eidson
Paymaster of Purses	Susan Winters
Others (Asst. Clerk of Scales)	Charles McCaul

- C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Weinstein Court Reporters, 9582 Hamilton Avenue, Suite 265 Huntington Beach, California 92646 (714) 964-7102**
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract: **Plusmic, USA 12/31/08**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks. **Association provides its own service and equipment. Equipment utilized is described in Attachment "C"**

VIDEO EQUIPMENTCAMERAS

Eight DXC-35 Sony Cameras
Six DXC-637 Sony Cameras
One BRC-H700 Sony remote control camera
Pan (Wide) w/44X1 Fuji Lens
Pan (Close up) w/55X1 Fuji Lens
7/8 Dirt Tower w/45X1 Canon Lens
7/8 Turf Tower w/22X1 Fuji Lens
1/4 Tower w/26X1 Angenieux Lens
3/16 Sony robo cam 16x1 Lens
3/8 Dirt Tower w/45X1 Canon Lens
3/8 Turf Tower w/33X1 Canon Lens
One Autodome PTZ Day/Night Color Camera 23X 1 lens for Turf Chute Backside
Winner's Circle w/18X1 Canon Lens
Paddock view Camera w/18X1
Ground Level Finish w/18X1 Canon Lens
Gate Start Camera w/15X1 Fuji Lens
Horse Tunnel Camera w/15X1 Canon Lens
Studio Camera w/15X1 Canon Lens
Paddock view Camera w/15X1

VIDEO TAPE RECORDING EQUIPMENT

12 - Channels Leitch 300 Video Servers
2 - BVW - 75 Beta SP (slo-mo)
4 - PVW - 2800 Beta Sp
1- DPS Velocity video edit system

DISTRIBUTION/SWITCHING EQUIPMENT

Utah 132X132 A/V Router
Ross Synergy 3 Production Switcher
Ross "Squeeze & Tease" four Channel Digital Video Effects Unit

OTHER

Four "Autotote" VGS Units - Betting Screens
Data links wagering system
2 - Chyron Graphics Systems - Max and Maxine
Charlson O'Hare Computer Graphics System
Clear-com "Matrix" Intercom System
Approximately 1,100 Color Televisions

- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract: **American Teletimer, 12/31/08**

12. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers. **Don Barney, Director of Security 310/419-1395 – organizational chart attached.**
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis:

43 Uniformed Officers
8 Agents
5 Firemen
11 Gatemen
5 Communication Operators

1. Attach a written plan for enhanced security for graded/stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **Six hours prior to post time, officers or Backstretch Events Personnel will be assigned to each horse scheduled to run in all stakes races with a purse value of \$100,000 or more. The officers and Backstretch Event Personnel will all be equipped with a video surveillance camera and a security radio. In addition, there will be an Agent to monitor the security enforcement and 5 additional uniformed officers throughout the backside during racing. During non-racing, nighttime hours there will be 4 officers per shift patrolling the backside. In the event that horse is assigned to the detention barn, uniformed officers will be assigned to that area for twenty-four hour surveillance. The horses will also be under video surveillance.**

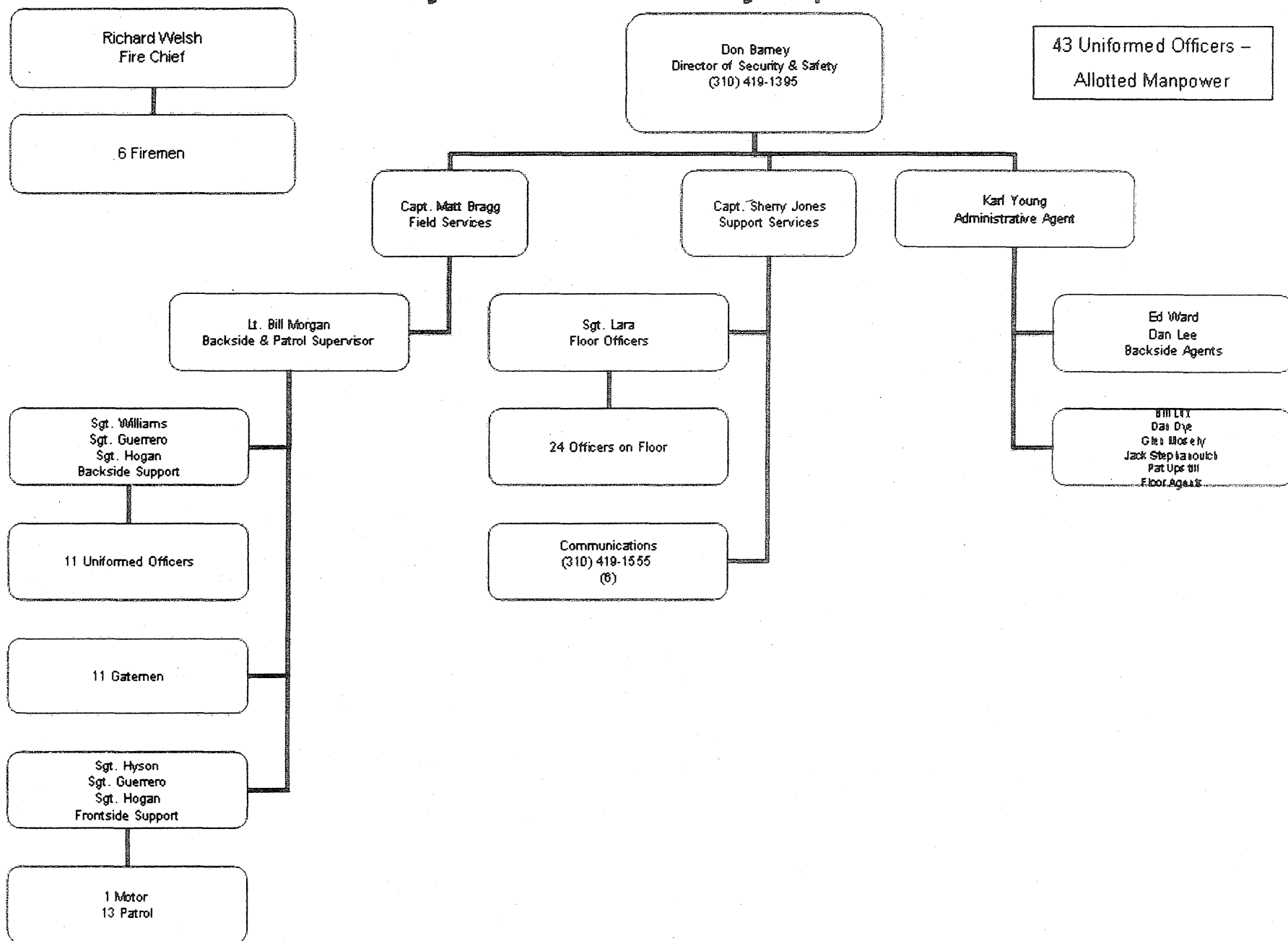
2. Detention Barns:

- A. Attach a plan for use of graded stakes or overnight races.
Detention barn is used as required by the CHRB.
- B. Number of security guards in the detention barn area during a 24-hour period.
As needed per horse, also one additional officer to cover relief/breaks.
- C. Describe number and location of surveillance cameras in detention barn area.
There are currently 10 cameras over the stalls and 2 covering the shedrow. We have additional cameras on site ready for installation.

3. TCO2 Testing:

- A. Number of races to be tested, and number of horses entered in each race to be tested.
Will follow CHRB staff directives to insure compliance with CHRB Rule 1843.6..
- B. Plan for enhanced surveillance for trainers with high-test results **Will follow CHRB directives to insure compliance with CHRB Rule 1843.6..**

Hollywood Park Security Department



C. Plan for detention barns for repeat offenders. Will follow CHRB directives to insure compliance with CHRB Rule 1843.6.

D. Number of security personnel assigned to the TCO2 program.
As needed per the advice of CHRB staff.

C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention barn and stable gate.
Camera at each of our two stable gates, also see 2C above

D. For night racing associations: Describe emergency lighting system: **The track lighting system, which is used primarily for Friday night racing is on a preferred electrical current provided by Southern California Edison. Additionally we have an emergency lighting system powered by two karolite 125 k.w. 277/480 volt generators which are activated and placed on line during the running of every race run after dark.**

13. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races: **Huntington Ambulance Service, Box 145 Sunset Beach, California 562/904-1550**

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **Santa Anita- Huntington Ambulance Service, Box 145 Sunset Beach, California 562/904-1550; Pomona-Cole Schafer Ambulance Service, 324 N. Town Ave., Pomona California 909/966-4727-800/966-4727; San Luis Rey Downs- North County Fire Protection District, Fallbrook, California-760/723-2006**

C. Describe the on-track first aid facility, including equipment and medical staffing: **Our first aid facility is located on the ground level in the hallway between the paymaster of purses and the track photographer offices. The rear entrance to the first aid facility opens to tunnel 1A and is approximately 12ft from the Jocks' room entrance. During training hours two certified EMTs are stationed in an ambulance located on the backstretch just off the main track. They have access to the first aid facility should the need arise. During racing hours two certified EMTs staff and maintain the first aid facility with an addition team of two EMTs stationed in an ambulance on the race track. Also during racing hours there is a medical doctor on duty who provided through Kerlan-Jobe clinic.**

The facility is equipped with the following: beds, stethoscope, otoscope, flash light, forceps, clamps, scissors, scalpel, tourniquet, sterile syringes, blood pressure kit, oxygen, eye flushes, splints, bandages, trauma dressing, hydrogen peroxide etc., nasal packing, topical anesthetic, thermometer, Silver nitrate sticks (AgNO3), ice packs, backboards for spinal precautions, cervical collars, immobilization straps hare traction splints for closed femur fractures, KED splints, bag valve mask for CPR, Automated external defibrillator., oxygen masks, cannula tubing and a variety of addition supplies and over the counter drugs (aspirin etc.)

D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **Dr. John Goff 310/419 1562 There will be other doctors who will be pre scheduled to relieve Dr. Goff from time to time during the race meeting . That schedule will be provided to the CHRB when it becomes available.**

Attachment D - Section 13

MEMORANDUM

From: Don Barney, Director of Security & Safety

Subject: Emergency Medical Action Plan for Injured Jockeys

Since May 1, 2003 we at Hollywood Park have had in place an emergency medical action-plan for injured jockeys. There is now a new law requiring such an action plan. Pursuant to the Business and Professions Code section 19481.3 (b) each racing association shall adopt and maintain an emergency medical action plan for injured jockeys and shall be posted in English and Spanish within the jockeys room.

The system we have in effect follows the exact guidelines required by the above statute. The emergency action plan we deploy goes as follows:

“Upon the observed or reported injury of a jockey, medical assistance will be immediate. The responding medical technician, track doctor or security will contact communications (via hand held radio or calling 310 4191555). Security will then activate the emergency contact procedure. This procedure will be the responsibility of the Safety Director or his designee. The Safety Director will contact the Chief of Medical Staff at Centinela Hospital and prepare for the injured jockeys arrival. The phone number of Centinela Hospital is 310- 4198636 and is located at 555 East Hardy Street, Inglewood.

The Chief of Staff will ensure that his personnel are standing by to receive the injured jockey. The Chief of Staff will also contact any specialists who are contracted for the care of an injured jockey. This will lay the foundation for a rapid admittance and treatment of the injured Jockey. A Security Agent will also be dispatched to respond to the emergency room to assist family members of the injured jockey and to also maintain the integrity of the injured jockeys needs. It will also be the responsibility of the Security Agent to keep the Director of Safety informed as to the condition and progress of the injured jockey. It will be the responsibility of the Security Agent to obtain a copy of the accident from the T.V. department. The Security Agent will prepare a report as to the accident and treatment. The agent will also ensure that all workers compensation information pertaining to the jockey is accurate and current.”

From: Don Barney, Director of Security & Safety

Subjecto: Emergencia Medica Accion de plan para el Jinete Lastimado

Desde Mayo 1, 2003 Hollywood Park a tenido un plan de Emergencia Medica para los jinetes lastimados. Hay nueva ley que requiere accion de plan. Siguiendo las leyes del negocio y Profesion Codigo seccion 19481.3(b) cada asociado de carrera tiene que adaptar y mantener el plan de emergencia en el cuarto de los jinetes.

El sistema en efectivo que tenemos sigue exactamente todas las reglas y guias. El plan de emergencia se dirige asi:

“Asistencia medica sera inmediata al observar o reportar un jinete lastimado. El medico tecnico, el doctor de hipodromo o seguridad se comunicara via radio o llamara (310)419-1555. Seguridad activara el proceso de el contacto de emergencia. Este proceso sera la responsabilidad de el Director de Seguridad o su designado. El Director de Seguridad contactara al Jefe Medico de Centinela Hospital localisado en la 555 East Hardy

El Jefe de Estafa se asegurara que su personal se encargue de recibir al jinete herido y contactar a otros especialistas en el contrato y cuidado de el jinete. Este fundamento sera rapido para admitir y tartar al jinete herido. Un agente de seguridad sera despachado al cuarto de Emergencia para asistir a la familia y mantener la integridad y necesidades de el jinete herido. Sera la responsabilidad del agente, reportar e informar al Director de Seguridad de la condicion y el progreso de el jinete. Es la responsabilidad del agente de obtener copia del accidente de el Departamento de Television. El agente se asegurara que toda la informacion de compensacion de trabajo que pertenezca a el jinete sea fija y corriente.”

- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey: **Centinela Hospital, 555 East Hardy Street, Inglewood, Ca- Dr Max Lebow- Chief of staff 310/419 8636**
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Refer to Attachment "D"**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B& P Code 19481.3(d): **Don Barney Safety Manager- Karl Young Assistant Safety Manager**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
Fire clearance attached.
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **American Home Assurance Company #On file**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.
Attached

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health And Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

14. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each: **See Attachment "E"**

15. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Describe any promotional plans:

The following is the proposed Promotional Schedule for the Meet:



County of Los Angeles
Fire Department

Date: 2-28-08

To: Glen Bounds, Property Mgr.
Hollywood Park Land Co, LLC.
1050 S. Prairie Ave.
Inglewood, Ca 90301

From: Los Angeles County Fire Department

Subject: Fire Safety Inspection

On Feb. 28, 2008 a follow-up fire safety inspection of the racetrack facilities was conducted. The overall condition of the facility was found to be good, and appears to conform to applicable fire and safety standards at this time.

We therefore approve the use of the facility for the Spring/Summer 2008 Thoroughbred Meeting and until our next fire safety inspection in the fall of 2008. Thank your staff for their cooperation and if I may be of further assistance, please feel free to contact me at the phone number below.

Sincerely,

Inspector William Boyd
Central Region Hawthorne Prevention Bureau
310-263-2732

ACORD CERTIFICATE OF LIABILITY INSURANCE		Page 1 of 2	DATE 09/26/2007
PRODUCER Willis North America, Inc. 26 Century Blvd. P. O. Box 305191 Nashville, TN 372305191	877-945-7378	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Stockbridge Capital Group, LLC dba Hollywood Park 4 Embarcadero Center, Suite 3300 San Francisco, CA 94111		INSURERS AFFORDING COVERAGE INSURER A: American Home Assurance Company INSURER B: INSURER C: INSURER D: INSURER E:	NAIC# 19380-100

COVERAGES

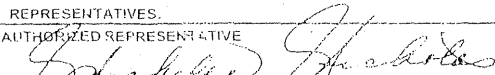
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/>				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/>				
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	EXCESS/UMBRELLA LIABILITY OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/>				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
	DEDUCTIBLE RETENTION \$				\$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	3425986	9/23/2007	9/23/2008	X WC STATU- TORY LIMITS <input type="checkbox"/> OTH- ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER

CANCELLATION

CHRH 1010 Hurley Way Suite 300 Sacramento, CA 95825	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE 
--	---

Concessionaires and Service Contractors

Levy Premium FoodService Limited Partnership
980 North Michigan Avenue, Suite 400
Chicago, IL 60611

Food, Beverage, Liquor

Robert J. Baedeker
Baedeker's Guide
130 West El Portal
San Clemente, California 92672

Tip Sheet

Harry Aqurarelli
Duke Racing Selections
6632 West 87th Street
Los Angeles, California 90045

Tip Sheet

Winners
Toby Turrell
14112 Enfield Circle
Westminster, California 92683

Tip Sheet

Bob's Card, Inc.
Tiffany Boland
6288 Highland Meadows
Medina, Ohio 44256

Tip Sheet

Today's Racing Digest
P. O. Box 85007
San Diego, California 92138

Thorograph
541 Hudson Street
New York City, New York 10014

New World Service, Inc.
1050 South Prairie
Inglewood, California 90301

Janitorial

Miscellaneous

Ann Roper Silks
c/o Ann Roper
P. O. Box 3547
Lennox, CA 90304

Western Saddlery
c/o A. Liederman
206 E. Hillsdale Blvd.
San Mateo, CA 94403

Promotion Plan

Week of April 23 – April 27

- Wed, April 23
 - Opening Day
 - Coupons for free General Admission in Direct Mail Piece #1
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, April 24
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, April 25
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
 - Round #1 – Hollywood Park Spring Handicapping Challenge
- Saturday, April 26
 - Round #1 – Hollywood Park Spring Handicapping Challenge
- Sunday, April 27
 - Cal National Gold Rush Day
 - Giveaway #1
 - \$1,000,000 Guaranteed Pick Six
 - Round #1 – Hollywood Park Spring Handicapping Challenge

Week of April 30 – May 4

- Wed, April 30
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, May 1
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, May 2
 - Kentucky Oaks Day – Daytime Racing
- Saturday, May 3
 - Kentucky Derby Day
 - Round #1 – Triple Crown Challenge
- Sunday, May 4
 - Bounceback coupon for free General Admission from Kentucky Derby

Week of May 7 – May 11

- Wed, May 7
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, May 8
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, May 9
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, May 10
 - Mystery Mutuel Voucher Promotion
- Sunday, May 11
 - Bounceback coupon for free General Admission from Kentucky Derby

Week of May 14 – May 18

- Wed, May 14
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, May 15
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, May 16
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, May 17
 - Preakness Stakes
 - Round #2 – Triple Crown Challenge

- Sunday, May 18
 - Bounceback coupon for free General Admission from Kentucky Derby

Week of May 21 – May 26

- Wed, May 21
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, May 22
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, May 23
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, May 24
 - Round #2 – Hollywood Park Spring Handicapping Challenge
- Sunday, May 25
 - Bounceback coupon for free General Admission from Kentucky Derby
- Monday, May 26
 - Memorial Day Family Day
 - Giveaway #2
 - \$1 Million Guaranteed Pick Six

Week of May 29 – June 1

- Thursday, May 29
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, May 30
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, May 31
 - Free Day on Us – Gold Club members will receive coupons for free Club House Admission, Free Racing Forms, Free Parking, and Free Programs.
- Sunday, June 1
 - Bounceback coupon for free General Admission from Kentucky Derby

Week of June 4 – June 8

- Wed, June 4
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, June 5
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, June 6
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, June 7
 - Belmont Stakes
 - Round #3 – Triple Crown Challenge
- Sunday, June 8

Week of June 11 – June 15

- Wed, June 11
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, June 12
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, June 13
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, June 14
 - Mystery Mutuel Voucher Promotion
 - \$400,000 Guaranteed Pick Six
- Sunday, June 15
 - Bounceback coupon for free General Admission from Belmont

Week of June 18 – June 22

- Wed, June 18
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, June 19
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, June 20
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races.
- Saturday, June 21
 - Gold Club Member Fan Appreciation Day – Drawing for a Plasma Television following each live race
- Sunday, June 22
 - \$1 Day - \$1 General Admission, programs, Hot Dogs and Beers
 - Bounceback coupon for free General Admission from Belmont

Week of June 25 – June 29

- Wed, June 25
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, June 26
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, June 27
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, June 28
 - Hollywood Gold Cup
 - Giveaway #3
 - \$1 Million Guaranteed Pick Six
- Sunday, June 29
 - Bounceback coupon for free General Admission from Belmont

Week of July 2 – July 6

- Wed, July 2
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, July 3
 - Night Racing
 - \$1 Beers, sodas and hot dogs
 - Live Music following the races
- Friday, July 4
 - 4th of July Family Day
 - CashCall Mile Day
 - \$100,000 Firecracker Challenge Handicapping Tournament
- Saturday, July 5
 - American Oaks Day
 - Giveaway #4
 - \$1 Million Guaranteed Pick Six
 - \$100,000 Firecracker Challenge Handicapping Tournament
- Sunday, July 6
 - Bounceback coupon for free General Admission from American Oaks

Week of July 9 – July 13

- Wed, July 9
 - Senior Day (Seniors, aged 62 and older, receive \$3.00 off General Admission)
- Thursday, July 10
 - Free General Admission to members of the Gold Club, Hollywood Park's Player Rewards program
- Friday, July 11
 - Friday Night Fever - \$1 Beers, sodas and hot dogs and Live Music in the Ascot Terrace following the races
- Saturday, July 12
 - Closing Weekend Mystery Mutuel Voucher Promotion
 - Hispanic Concert following the races
 - \$400,000 Guaranteed Pick Six

- Sunday, July 13
 - Closing Weekend Mystery Mutuel Voucher Promotion
 - Bounceback coupon for free General Admission from American Oaks

Advertising Plan

- Print
 - Los Angeles Times: ¼ Page Advertisement promoting Opening, Friday Night, and Gold Rush – 3 Insertions; ¼ Page Advertisement promoting Kentucky Derby – 3 Insertions; ¼ Page Advertisement promoting Memorial Day – 3 Insertions; ¼ Page Advertisement promoting Gold Cup – 3 Insertions; ¼ Page Advertisement promoting American Oaks/CashCall Mile – 3 Insertions
 - Argonaut: Full Page, Full Color Ad promoting each week's events
 - Beach Reporter: Full Page, Full Color Ad promoting each week's events
 - Palos Verdes News: Full Page, Full Color Ad promoting each week's events
 - Santa Monica Mirror: Full Page, Full Color Ad promoting each week's events
 - Santa Monica Daily Press: Full Page, Full Color Ad promoting each week's events
 - Our Weekly: Half Page ad promoting each week's events
 - Inglewood Today Weekly: Half Page ad promoting each week's events
 - LA Weekly: Half Page ad promoting each Friday Night Fever
 - UCLA Daily Bruin, Loyolan, Daily Trojan, Daily 49er, Santa Monica Corsair: Half Page ads promoting each Friday Night Fever
- Radio
 - Jack-FM: Weekly :60 Spots promoting Friday Night Fever
 - Go Country: Weekly :60 Spots promoting Friday Night Fever
 - Racing Radio:
 - Mike Willman: Weekly :60 Spots promoting each week's events
 - Felix Taverna: Weekly :60 Spots promoting each week's events
 - Jason Levin: Weekly :60 Spots promoting each week's events
 - Roger Stein: Weekly :60 Spots promoting each week's events
 - Jay Privman: Weekly :60 Spots promoting each week's events
- Television
 - Week of April 23 – April 27
 - Approximately 200 GRP's Promoting Opening and Gold Rush
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of April 30 – May 4
 - Approximately 200 GRP's Promoting Kentucky Derby
 - Week of May 7 – May 11
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of May 14 – May 18
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of May 21 – May 26
 - Approximately 200 GRP's Promoting Memorial Day
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of May 29 – June 1
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of June 4 – June 8
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of June 11 – June 15
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of June 18 – June 22
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of June 25 – June 29
 - Approximately 200 GRP's Promoting Gold Cup
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Week of July 2 – July 6
 - Approximately 200 GRP's Promoting American Oaks/CashCall Mile

- Approximately 200 GRP's Promoting Thursday Night Fever
 - Week of July 9 – July 13
 - Approximately 200 GRP's Promoting Friday Night Fever
 - Miscellaneous
 - Los Angeles Dodgers Sponsorship
 - Includes Radio In-Game Reads in every Broadcast
 - Pocket Calendar Distribution at Parking entrances at two home games
 - Ripple Media
 - In-Store spots at Coffee Bean & Tea Leaf locations throughout Southern California
- B. Number of hosts and hostesses employed for meeting: **During the meet, we will employ up to 14 hosts and hostesses to handle group business and between 12 and 15 guest service personnel. We add another 15-20 people on promotional days for giveaways and sign-ups for the Hollywood Park Gold Club.**
- C. Describe facilities set aside for new fans:
- **Jockey Club/Ascot Terrace – During night racing, the Jockey Club Bar area and the Ascot Terrace will be the venue for a post race concert. The areas both overlook the track and during the races will be staffed with customer service representatives to answer racing related questions.**
 - **Saturday Handicapping Seminar with Kurt Hoover**
 - **Sunday Handicapping Seminar with George Ortuzar**
 - **Customer Service Booths – Throughout the facility there are Customer Service booths staffed to assist patrons with any requested information**
 - **Group Events – The track hires handicappers each day there are groups attending the races to educate new fans regarding handicapping.**
- D. Describe any improvements to the physical facility in advance of the meeting that directly benefit:
1. Horsemen
 2. Fans - 42 new flat screen TV's will be installed in the Players Club Study Hall.
 3. Facilities in the restricted areas **Improvements to be determined**

16. SCHEDULE OF CHARGES

- A. Proposed charges, note any changes from the previous year:

1) General Admission	\$ 7.00
a. 17 yrs. old and under	Free
b. Wed & Thu Senior Citizens	\$ 4.00
(2) Clubhouse Admission	\$ 10.00
(3) Turf Club	\$ 20.00
(4) Reserved seating	\$ 2.00
(5) General Parking	Free
(6) Preferred (Premium) Parking	\$ 3.00
(7) Valet Parking	\$ 8.00

(8) Programs

\$2.25

- B. Describe any "Season Boxes" and "Turf Club Membership" fees:

Box Seats		*Turf Club Membership	
4 seat Box	\$1,600	Single Turf Club	\$ 800
6 seat Box	\$2,000	Double Turf Club	\$ 1,250
8 seat Box	\$2,600	Corporate Membership	\$ 2,400
8 seat SuperBox	\$3,000	Guest	\$ 12

*Includes Spring/Summer, Fall Meets and Simulcast

- C. Describe any "package" plans such as combined parking, admission and program:
Admission includes parking and program.

17. JOCKEYS/DRIVERS' QUARTERS

- A. Check the applicable amenities available in the jockeys/drivers' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<div style="border: 1px solid black; padding: 2px; display: inline-block;">80</div>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

- B. Describe the quarters to be used for female jockeys/drivers: **Separate quarters including restroom facilities, showers, cubicles, scale, televisions, couch, food services, etc.**

18. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by (the most recent inspections at the submission of the application) **Jim Hamilton on 10/25/07.**
- B. Number of rooms used for housing on the backstretch of the racetrack: **Approximately 450**
- C. Number of restrooms available on the backstretch of the racetrack: **77 including: 155 toilets, 81 urinals and 167 sinks.**
- D. Estimated ratio of restroom facilities to the number of backstretch personnel: **Minimum of 1 to 10 including non-resident personnel.**

19. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: **Main Track - 1 mile & 1/8 - 5,940 feet, Turf Track - 1 mile 165 feet - 5,445 feet**
- B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course. **Main Track - aluminum gooseneck post, aluminum railing, as well as aluminum safety panels covering the gooseneck post. Turf Course - inner rail - Fontana turf rail 40" in height, outer rail - metal uprights.**

- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Dennis Moore**
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On file**
- E. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **N/A**

20. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044. **In negotiation.**
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **On File.**
- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No exceptions**
- E. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions**

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

21. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

Eural Wyatt
Print Name

[Signature]
Signature

Gen. Mgr.
Print Title

1/2/8
Date

STAFF ANALYSIS

March 27, 2008

Issue: APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION AT GOLDEN GATE FIELDS MAY 14, 2008 THROUGH JUNE 22, 2008.

Pacific Racing Association [PRA] filed its application to conduct a thoroughbred horse racing meeting at Golden Gate Fields:

- May 14 through June 22, 2008, or 30 days. The association proposes to race a total of 259 races, or 8.63 races per day. In 2007 they raced 35 days from April 25 through June 10, 2007 racing 8.63 races per day with an average of 7.21 runners per race. The (actual) average daily purse for the 2007 meet was \$190,884. The (estimated) average daily purse for this meet is \$187,539. They did not conduct racing during the prior year timeframe.
- The race dates proposed are the dates the Board allocated.

May - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June - 2008						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

- Racing 5 days per week, Wednesday through Sunday, with 8 races weekdays and 9 or 10 weekends and holidays. If horse population permits may run 10 races up to 6 days. Administrative approval will be requested if extending more than 6 days for a 10 race card.
- Racing concurrently with dates allocated to Hollywood Park Racing Association with exception of 6/29, 7/2-6, 7/9-13.
- First post 1:05 p.m. daily.
 - Request the option to change post times to coordinate north/south signals.
- Request Patrick Kealy be appointed horse identifier pursuant to CHRB Rule 1525.
- Track safety requirements have been fulfilled.
- Wagering program will use all CHRB rules.
 - Early wagering will not be offered.
- The Advance Deposit Wagering (ADW) providers are Xpressbet, TVG, Youbet and TwinSpires.

- Simulcasting conducted with out-of-state racing jurisdictions pursuant to Business and Professions Code Section 19602; and with authorized locations throughout California.
- Inspection of backstretch worker housing completed.

Specific information **still needed** to complete this application includes:

1. Horsemen's agreement.

RECOMMENDATION:

Staff recommends that the application for license not be heard until the Horsemen's agreement is received.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions (B&P) Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT ASSOCIATION

- A. Name, mailing address, telephone and fax numbers of association:

Pacific Racing Association

1100 Eastshore Highway

Berkeley, California 94710

Phone (510) 559-7300

Administration Fax (510) 559-7464

- B. Breed of horse: ☒ TB ☐ QH ☐ H

- C. Racetrack name: **Golden Gate Fields**

- D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to B&P Code Section 19490. **On file with the Board.**

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF MEETING

- A. Inclusive dates for the entire meeting: **May 14, 2008 through June 22, 2008**

- B. Actual dates racing will be held: **May 14-18, 21-26, 29-31, June 1, 4-8, 11-15, 18-22**

- C. Total number of days or nights of racing: **30 days**

- D. Days or nights of the week races will be held:

☒ Wed - Sun ☐ Tues - Sat ☐ Other (specify)

Exceptions; racing on Monday, May 26, 2008, dark on Wednesday, May 28, 2008.

- E. Number of days or nights of racing per week: **5 days per week except as set forth in Item D above.**

3. RACING PROGRAM

- A. Total number of races: **259**

- B. Number of races for each day or night: **8.6 will be the average throughout the meet; we propose to conduct 8 races on weekdays and 9 races on weekends and holidays. If the horse population permits, we may run 10 races on up to six days. We will request administrative approval to conduct a 10 race card if we exceed the six days.**

CHRB CERTIFICATION

Application received: **2/13/08**
Deposit received: **on file**
Reviewed: **[signature]**

Hearing date: **3/27/08**
Approved date:
License number:

- C. Total number of stakes races: **9**
(7 Non-Overnight Stakes and 2 Overnight Stakes including 1 Cal-Bred Stake)
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses. **Stakes schedule attached.**
- E. Will provisions be made for owners and trainers to use their own registered colors?
☒ Yes. ☐ No If no, what racing colors are to be used:
- F. List all post times for the daily racing program:
- | <u>Post Time</u> | <u>Race Number</u> |
|------------------|--------------------|
| 1:05 p.m. | 1 |
| 1:35 p.m. | 2 |
| 2:05 p.m. | 3 |
| 2:35 p.m. | 4 |
| 3:05 p.m. | 5 |
| 3:35 p.m. | 6 |
| 4:05 p.m. | 7 |
| 4:35 p.m. | 8 |
| 5:05 p.m. | 9 |
| 5:35 p.m. | 10 |

Request the option to change post time schedules in order to coordinate North/South signals.

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race" pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to B&P Code Section 19568(b).

4. RACING ASSOCIATION

- A. Association is a: ☒ Corporation (complete subsection C)
☐ LLC (complete subsection D)
☐ Other (specify, and complete subsection E)
- B. Complete the applicable subsection and attached Addendum, Background Information and Ownership. **On file with the Board.**
- C. CORPORATION
- Registered name of the corporation: **Pacific Racing Association**
 - State where incorporated: **California**
 - Registry or file number for the corporation: **Federal ID #94-1585367**
California ID #173-1919-5
 - Names of all officers and directors, titles, and the number of shares of the corporation held by each:
Pacific Racing Association has only one shareholder, Magna Entertainment Corporation, a Delaware Corporation:
Frank Stronach, Chairman & Interim Chief Executive Officer
Ron Charles, Chief Operating Officer
Scott Borgemenke, Executive Vice-President, Racing

**Golden Gate Fields Spring 2008
Stakes Schedule**

2/8/2008

May 14, 2008 - June 22, 2008

30 Days

Stakes Race	Purse	Distance	Date	Closes	Nom	Entry
Golden Bear Three Year Olds	\$50,000 A <i>overnight stake</i>	6 Furlongs	Saturday, May 17	Friday, May 9	\$50	\$750
Golden Poppy Three Year Old Fillies	\$75,000 G	1 1/16 (T)	Sunday, May 18	Friday, May 9	\$50	\$750
Alcatraz Three Year Olds	\$75,000 G	1 1/16 (T)	Saturday, May 24	Saturday, May 17	\$50	\$750
Berkeley GIII Three Year Olds and Upward	\$150,000 G	1 1/16	Monday, May 26	Saturday, May 17	\$50	\$1,500
Golden Gate Fields Turf GIII Three Year Olds and Upward	\$100,000 G	1 3/8 (T)	Saturday, May 31	Saturday, May 24	\$50	\$1,000
Yerba Buena F&M Three Years Old and Upward	\$75,000 G	1 3/8 (T)	Sunday, June 8	Saturday, May 31	\$50	\$750
Oakland Three Year Olds and Upward	\$75,000 G	6 Furlongs	Saturday, June 14	Saturday, June 7	\$50	\$750
Work The Crowd (CA) F&M Three Years Old and Upward	\$75,000 G Inc \$25,000 CBRF <i>overnight stake</i>	1M (T)	Saturday, June 21	Saturday, June 14	\$50	\$750
Lost In The Fog Two Year Olds	\$75,000 G	5 Furlongs	Sunday, June 22	Saturday, June 14	\$50	\$500

Blake Tohana, Executive Vice-President and Chief Financial Officer
 Brant Latta, Senior Vice-President, Operations
 James Bromby, Senior Vice-President, Operations
 Joe DeFrancis, Executive Vice-President
 Frank DeMarco, Jr., Vice-President Regulatory Affairs
 Mary Lyn Seymour, Vice-President and Controller
 William G. Ford, Secretary
 Peter W. Tunney, Vice-President, Community Relations
 Calvin Rainey, Vice-President and Assistant General Manager

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **None**
6. Number of outstanding shares in the corporation: **69,347 shares of no par value common stock.**
7. Are the shares listed for public trading? ☐ Yes ☒ No
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Not applicable.**
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **Magna Entertainment Corporation**
10. Attach the most recent audited annual financial statement for the licensee, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission. The licensee may submit the audited consolidated annual financial statements of its parent owner if the parent owner is a publicly traded company and guarantees the obligations of the licensee. **On file with CHRB.**

D. LLC

1. Registered name of the LLC: **Not applicable**
2. State where articles of organization are filed: **Not applicable**
3. Registry or file number for the LLC: **Not applicable**
4. Names of all officers and directors, titles, and the number of shares of the LLC held by each: **Not applicable**
5. Names (true names) of all members, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the LLC and the number of shares held by each:
6. Are the shares listed for public trading? ☐ Yes ☐ No
If yes, on what exchange and how is the stock listed:
7. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity: **Not applicable**
8. Attach the most recent audited annual financial statement for the licensee, including balance sheet and profit and loss statement, and a copy of a report made during the preceding 12 months to shareholders in the LLC and/or the Securities and Exchange Commission and/or the California Corporations Commission. **Not applicable**

E. OTHER

1. Name(s) of partners/sole proprietor: **Not applicable**
2. If a partnership, attach partnership agreement. **Not applicable**

F. Management and Staff

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 10B, who will be listed in the official program:

Ron Charles, Chief Operating Officer

Blake Tohana, Executive Vice-President and Chief Financial Officer

Frank DeMarco, Jr., Vice-President Regulatory Affairs

William G. Ford, Secretary

Peter W. Tunney, Vice-President, Community Relations

Calvin Rainey, Vice-President, Assistant General Manager

Robert Hartman, General Manager

Adam Njaa, Controller of Operations

Merry Scalzo, Director of Operations

Bill Newell, Director of Hospitality

Jerry Aldoroty, Director of Sales

Bryan Wayte, Manager of Mutuels

Tom Ferrall, Publicity Manager

Kristin Finkel, Marketing Manager

Robert Hemmer, Operations Manager

T.W. Johnson, Security Manager

Michael Wrona, Track Announcer

Richard Somers, Price Maker

William Vassar, Track Photographer

Aaron Vercruysse, Simulcast Coordinator

David Seftel, M.D., Track Physician

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing address of such person(s) if other than the mailing address of the association:

Peter W. Tunney, Vice-President, Community Relations

5. PURSE PROGRAM

A. Purse distribution: *Prior meet actual represents April 25, 2007 – June 10, 2007 (35 Days)*

1. All races other than stakes:

Current meet estimate: **\$4,171,500.00**

Prior meet actual: **\$4,876,090.00**

Average Daily Purse (5A1 ÷ number of days):

Current meet estimate: **\$139,050.00**

Prior meet actual: **\$139,316.86**

2. Overnight stakes:

Current meet estimate: **\$100,000.00**

Prior meet actual: **\$200,000.00**

Average Daily Purse (5A2 ÷ number of days):

Current meet estimate: **\$3,333.33**

Prior meet actual: **\$5,714.29**

3. Non-overnight stakes:

Current meet estimate: **\$625,000.00**

Prior meet actual: **\$747,450.00**

Average Daily Purse (5A3 ÷ number of days):

Current meet estimate: **\$20,833.33**

Prior meet actual: **\$21,355.71**

B. Stakes races:

1. Purse distribution for all stakes races:

Current meet estimate: **\$725,000.00**

Prior meet actual: **\$947,450.00**

Average Daily Purse (5B1 ÷ number of days):

Current meet estimate: **\$24,166.67**

Prior meet actual: **\$27,070.00**

2. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:

Current meet estimate: **7%**

Prior meet actual: **7.5%**

Average Daily Purse (5B2 ÷ number of days):

Current meet estimate: **.23%**

Prior meet actual: **.21%**

C. Funds to be generated for all California-bred incentive awards:

Current meet estimate: **\$506,392.00**

Prior meet actual: **\$593,950.78**

D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

Recognized Horsemen's Organization

Current meet estimate:

TOC (NTRA Contribution) **\$91,938.72**

TOC **\$52,536.41**

CTT (Administration) **\$26,268.21**

CTT (Pension) **\$52,536.41**

Total **\$223,279.75**

Prior meet actual:

TOC (NTRA Contribution) **\$108,489.66**

TOC **\$ 61,994.08**

CTT (Administration) **\$ 30,997.04**

CTT (Pension) **\$ 61,994.08**

Total **\$263,474.86**

- E. Amount from all sources to be distributed in the form of purses or other benefits to norsemen (5A+5C+5D):
 Current meet estimate: \$ 5,626,171.75
 Prior meet actual: \$6,680,965.64
- Average Daily Purse (5E ÷ number of days):
 Current meet estimate: \$187,539.05
 Prior meet actual: \$190,884.73
- F. Purse funds to be generated from on-track handle and intrastate off-track handle:
 Current meet estimate: \$4,184,588.00
 Prior meet actual: \$4,941,829.58
- Average Daily Purse (5F ÷ number of days):
 Current meet estimate: \$139,486.27
 Prior meet actual: \$141,195.13
- G. Purse funds to be generated from interstate handle:
 Current meet estimate: \$998,198.00
 Prior meet actual: \$1,110,896.53
- Average Daily Purse (5G ÷ number of days):
 Current meet estimate: \$33,273.27
 Prior meet actual: \$31,739.90
- H. Bank and account number for the Paymaster of Purses' purse account:
Wells Fargo Bank - Account #On file
- I. Name, address and telephone number of the pari-mutuel audit firm engaged for the meeting:
**Bowen & McBeth, 10722 Arrow Route, Suite 110, Rancho Cucamonga, California 91730,
 (909) 944-6465**

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the association; **shall not** be transferred to a parent corporation outside the State of California; and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses; who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by B&P Code Section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

6. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1325**
- B. Minimum number of stalls believed necessary for the meeting: **2000**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **1,100**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **Bay Meadows Racecourse – 900 Stalls Pleasanton – 200 Stalls**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **On file.**

Complete subsections F through H if the association will request reimbursement for off-site stabling as provided by B&P Code Sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, skip to Section 7.

- F. Total number of usable stalls made available on-site for the **1986** meeting: **1405**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall:
Stabling costs for this meet: \$495,000.00
Stabling costs per day per stall: \$12.22
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:
Vanning fees for this meet: \$51,750.00 Vanning fee per horse: \$115.00
Pleasanton Vanning & Starter Fees: \$52,200.00 Pleasanton fee per horse: \$290.00

7. PARI-MUTUEL WAGERING PROGRAM

- A. Pursuant to B&P Code Section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES
Example Race:	\$1 E; \$1 Double	CHRB #1959; RCI #VE
Race #1	\$2 DD*; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$1 PPN%; \$.10 SF# \$2 PAR^, \$1 PNP!	CHRB#1957; 1959; 1958; 1977; 1979; 1976.8; 1979.1; 1954.1; 1976.9
Race #2	\$2 DD*; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$1 PPN%; \$.10 SF# \$2 PAR^, \$1 PNP!	CHRB#1957; 1959; 1958; 1977; 1979; 1976.8; 1979.1; 1954.1; 1976.9
Race #3	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF#; \$1 PPN%; \$2 PAR^, \$1 PNP!	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1954.1, 1976.9
Race #4	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$2 PAR^, \$1 PNP!	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1954.1, 1976.9
Race #5	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF#	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8;

	\$1 PPN%; \$1 PNP!; \$2 PAR^	1976.9; 1954.1
Race #6	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$1 PNP!; \$2 PAR^	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1976.9; 1954.1
Race #7	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$1 PNP!; \$2 PAR^	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1976.9; 1954.1
Race #8	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$1 PNP!; \$2 PAR^	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1976.9; 1954.1
Race #9	\$2 DD*; \$2 PNP@; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$1 PNP!; \$2 PAR^	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1976.9; 1954.1
Race #10	\$2 DD*; \$2 PNP @; \$1 E; \$2 Q; \$1 PK3+; \$1 TRI++; \$.10 SF# \$1 PPN%; \$1 PNP!	CHRB#1957; 1976.9; 1959; 1958; 1977; 1979; 1979.1; 1976.8; 1976.9

* - \$2 Daily Double on all races

@ - \$2 Pick 6 on last six races

+ - \$1 Pick 3 on every race

++ - \$1 Trifecta on every eligible race

- \$.10 cent Superfecta on all eligible races

% - \$1 Place Pick All on all races carded

! - \$1 Pick 4 on first four and last four races

^ - \$2 Parlay on every eligible race

B. Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **June 22, 2008 for the period of May 14, 2008 through June 22, 2008.**

C. List any options requested with regard to exotic wagering: **\$2 Pick (n) Pool (Pick 6) will be offered on the final six races of each card, with 70% to the major pool or carryover, and 30% to the minor pool. \$1 PNP-4 will be offered on the first four and final four races of each card. \$1 PPN (Place Pick (n) Pool will be offered on the first ten races of each card.**

D. Will "advance" or "early bird" wagering be offered? ☐ Yes ☒ No
If yes, when will such wagering begin:

E. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract:
Scientific Games Racing, LLC, Bill Huntley, Expires: September 2012

8. ADVANCE DEPOSIT WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the association for this race meeting:
Xpressbet
TVG
Youbet
Churchill Downs ADW platforms of TwinSpire, WinTicket, BrisBET, and TSNbet

9. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the association to conduct simulcast wagering:
Northern California Off-Track Wagering, Inc.
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools. **On file.**

- C. California simulcast facilities the association proposes to offer its live audiovisual signal:

Northern California

Alameda County Fair, Pleasanton
 Bay Meadows Racecourse, San Mateo
 Big Fresno Fair, Fresno
 California State Fair & Exposition, Sacramento
 Club One, Fresno
 Kern County Fair, Bakersfield
 Monterey County Fair, Monterey
 Redwood Acres Fair, Eureka
 San Joaquin County Fair, Stockton
 San Mateo County Fair, San Mateo
 Santa Clara County Fair, San Jose
 Shasta District Fair, Anderson
 Solano County Fair, Vallejo
 Sonoma County Fair, Santa Rosa
 Stanislaus County Fair, Turlock
 Tulare County Fair, Tulare

Southern California

Antelope Valley Fair, Lancaster
 Barona Casino, Lakeside
 California Mid-State Fair, Paso Robles
 Del Mar Thoroughbred Club, Del Mar
 Derby Club at Seaside Park, Ventura
 Earl Warren Showgrounds, Santa Barbara
 Fairplex Park, Pomona
 Hollywood Park, Inglewood
 Indian Fantasy Springs Casino, Indio
 Los Alamitos Racecourse, Los Alamitos
 National Orange Show, San Bernardino
 Santa Anita Park, Arcadia
 Santa Barbara County Fair, Santa Maria
 Shalimar Sports Center, Indio
 Sports Pavilion, Lake Perris
 Sports Pavilion, Victorville
 Sycuan Casino, El Cajon
 Viejas Casino, Alpine

- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:

Pacific Racing Association/Golden Gate Fields

May 14, 2008- June 22, 2008

Out-of-State & International Imports - Full or Partial Card (Subject to Change)

<u>OUT-OF-STATE TRACK</u>
AQUEDUCT
ARLINGTON
BELMONT
CALDER RACECOURSE
CHURCHILL DOWNS
FAIRGROUNDS
GULSTREAM PARK
HAWTHORNE RACECOURSE
KEENELAND
LAUREL
LONE STAR PARK
PIMLICO
OAKLAWN
PORTLAND MEADOWS
SUNLAND PARK
TAMPA BAY DOWNS
TURF PARADISE
TURFWAY PARK
<u>INTERNATIONAL TRACK</u>
WOODBINE
HASTINGS
SAN ISIDRO
MARONAS

E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:

American Tab, OH	Hinsdale Greyhound Park, NH	Rosecroft Raceway, MD
Arapahoe Park, CO	Hoosier Park, IN	Royal Beach Casino
Arima Race Club	Horsemen's Park, NE	Royal River Racing
Arlington International Race Course, IL	Indiana Downs, IN	Ruidoso Downs, NM
Atlantic City Casino Assn., NJ	International Racing Group	Sam Houston, TX
Atlantic City Race Course, NJ	Jackson Harness Raceway, MI	Saratoga Raceway, NY
Atokad Downs, NE	John Martin's Manor Restaurant	Scarborough Downs, ME
Balmoral Park, IL	Keeneland Association, KY	Scioto Downs, OH
Beulah Park, OH	Kentucky OTB	Seabrook Greyhound
Birmingham Race Course, AL	Lebanon Raceway, OH	Shoreline Star Greyhound Park
Blue Ribbon Downs, OK	Les Bois/Idaho	Skydancer Casino
Bluffs Run Greyhound	Lewiston Raceway Inc., ME	Southland, AR
Buffalo Raceway, NY	Lien Games, Inc., ND	Sports Center
Calder Race Course, FL	Lein Games, LLC	Sports Creek Raceway, MI
Canadian Associations	Lincoln Greyhound	Stables
Canterbury Park, MN	Lodge Belmont Greyhound Park	State Fair Park, NE
Capital District OTB	Lone Star., TX	Suffolk District OTB
Capital Sports Ply, Ltd, Australia	Louisiana Downs, LA	Suffolk Downs, MA
Casino Association	Manor Downs	Sunland Park, NM
Catskills OTB	Maryland Jockey Club, MD	Sunray Park, NM
Charlestown Race Course, VA	Maywood	Tampa Bay Downs, FL
Chester Downs & Marina LLC	Meadowlands	Tauton Dog Track, Inc.
Choctaw Racing Services, LLC, OK	Meadowlands The	Thistledown Racing, OH
Churchill Downs, KY	Meskwaki Casino	Timeout Lounge
Coeur d'Alene Greyhound, ID	Millers OTB	Tioga Downs
Coeur d'Alene Casino, ID	Mohegun Sun	Tri-State Racetrack & Gaming Center, WV
Colonial Downs, VA	Monmouth Park, NJ	Turfway Park, KY
Columbus Races, NE	Montana OTB, MT	Turf Paradise, AZ
Comanche Nation	Monticello Raceway, NY	TVG
Connecticut OTB, CT	Mount Pleasant Meadows, MI	Valley Greyhound Park
Corpus Christi Greyhound Track, TX	Mountaineer Park, WV	Vernon Downs, NY
Crystal Palace	Nevada Indian Casinos	Western Fair Raceway
Dairyland Greyhound Park, WI	Nevada Pari-Mutuel Association, NV	Western Regional OTB
Darwin All Sports	New Mexico	Wheeling Downs, WV
Delaware Park, DE	New York City Off-Track Betting, NY	Wichita Greyhound Park, KS
Delta Downs	New York Racing Association, NY	Will Rogers Downs, OK
Downs at Albuquerque, NM	Newport Jai Alai, FL	Wonderland Greyhound Park, MA
Elite Turf Club	North Dakota Horse Park, ND	Woodlands, KS
Ellis Park, KY	Northfield Park, OH	Wyoming OTB, WY
Emerald Downs, WA	Northville Racing Corp., MI	XpressBet, Inc., CA
Equus St. Thomas Racing, Inc.	Oaklawn Park, AR	Yonkers Raceway, NY
European Simulco, Austria	Ocean Downs, MD	Zia Park, NM
Evangeline Downs, LA	Oneida Bingo and Casino	
Evansville OTB	Penn National Race Course, PA	Separate Pools:
Fair Meadows	Philadelphia Park, PA	Caymanas
Fairgrounds Race Course, LA	Plainfield Greyhound Park, NJ	Hipodromo Presidente Remon, Panama
Finger Lakes Race Track, NY	Plainridge Racecourse, MA	LVDC (NV)
Fonner Park, NE	Poconos	MIR/Caliente
Foxwoods	Pojoaque	
Freehold Raceway, NJ	Portland Meadows, OR	
Geneva Lakes	Prairie Meadows, IA	
Gillespie County Downs	Raceway Park, OH	
Great Lakes Downs, MI	Racing & Gaming Services, British WI	
Greentrack	Red River Casino	
Gulf Greyhound, TX	Remington Park, OK	
Gulfstream Park, FL	Retama Park, TX	
Harrington Raceway	Riders Up OTB	
Hawthorne	River Downs, OH	
Hazel Park, MI	Rockingham Park, NH	

F. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 23 imported thoroughbred races statewide. The limitation of 23 imported thoroughbred races per day statewide does not apply to those races specified in B&P Code Section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
See 8D above.	TBD	

- G. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Los Alamitos	Per CHRB calendar	Full Card

- H. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

HARNESS SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Cal Expo Harness	Per CHRB calendar	Full Card

- I. For **ALL** racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
None			

- J. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in B&P Code Sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **Not applicable.**

NOTICE TO APPLICANT: All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of B&P Code Sections 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 5.)

10. CHARITY RACING DAYS

- A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Pacific Racing Association is agent for distribution.**
- B. Names and addresses of the trustees or directors of the distributing agent:
Pacific Racing Association will act as its own distributing agent.
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? ☒ Yes

NOTICE TO APPLICANT: Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of B&P Code Section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 20% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of B&P Code Section 19556(b).

11. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

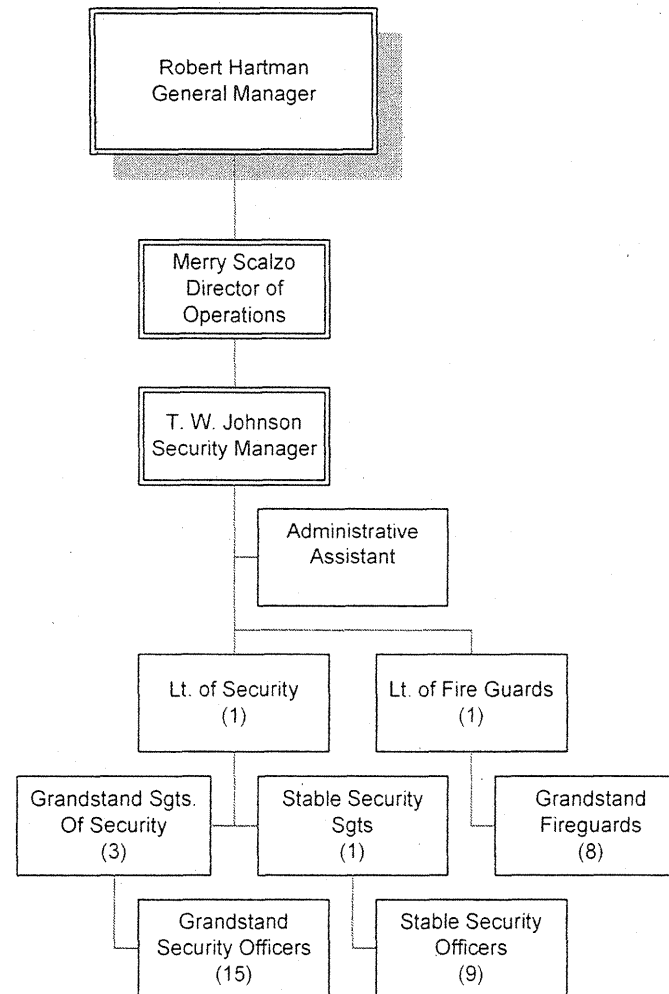
- A. Racing officials nominated:
- | | |
|-----------------------------|---|
| Association Veterinarian(s) | Heather Kerr, D.V.M (Track Veterinarian)
Joan Hurley, D.V.M. (CHRB Veterinarian)
Diane Isbell, D.V.M. (Examining Veterinarian) |
| Clerk of Scales | Ken Sjoldal |
| Clerk of the Course | Tina Walker |
| Film Specialist | Ross Allardyce |
| Horse Identifier | Patrick Kealy |
| Horseshoe Inspector | Jack Hammonds |
| Paddock Judge | Linda Anderson |
| Patrol Judges | Paul Nicolo & Tammy McDuffie-Morris |
| Placing Judges | Ella Robinson & Myra Truitt |
| Starter | Chuck Burkes |
| Timer | Richard Somers |
- B. Management officials in the racing department:
- | | |
|-------------------------------------|------------------------------|
| Director of Racing | Sean Greely |
| Racing Secretary | Sean Greely |
| Assistant Racing Secretary | C. Gregory Brent, Jr. |
| Racing Secretary's Assistant | David Jerkens |
| Paymaster of Purses | Patricia Prospero |
| Others (identify by name and title) | |
| Main Track Superintendent | Juan Meza |
| Turf Track Superintendent | Calvin Rainey |
| Price Maker | Richard Somers |
| Stable Superintendent | Carrie Fawcett |

- C. Name, address and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Christine Niccoli**
Niccoli Reporting Service, 619 Pilgrim Drive, Foster City, CA 94404-1707, (650) 573-9339
- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:
Plusmic Corp., USA, Bill O'Brien, Expires: December 31, 2008
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.
Pegasus Communications, Inc, Jim Porep, Jr., System maintained in house, Equipment contract expires: March 5, 2008
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:
Pacific Racing Assn. electronic timer is installed and maintained by Pacific Racing Assn. staff.

12. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.
T.W. Johnson, Security Manager is responsible for security on site.
Security Department organizational chart is attached.
Security Department phone number (510) 559-7370
Stable Security phone number (510) 559-7533
T.W. Johnson cell phone number (510) 418-3161
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **29**
 - 1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention barns. **Attached**
 - 2. Detention Barns:
 - A. Attach a plan for use of graded stakes or overnight races.
6 hour surveillance prior to race in Graded Stakes with purses of \$100,000 or over
24 hour surveillance in detention barn for Trainers with high-test results and repeat offenders
 - B. Number of security guards in the detention barn area during a 24-hour period.
Four Security Guards
 - C. Describe number and location of surveillance cameras in detention barn area.
Attached

**GOLDEN GATE FIELDS 2008
SECURITY DEPARTMENT ORGANIZATIONAL CHART
ATTACHMENT 12A**



Attachment to PRA License Application

12B (1) and 12B (2):

SECURITY CONTROLS

Graded Stakes and Races of \$100,000 or more

The following procedures have been put in place at Golden Gate Fields to ensure that proper security surveillance guidelines for races of \$100,000 or more are followed:

- Carrie Fawcett, Stable Superintendent, provides a list of starters to T. W. Johnson, Director of Security which includes the following information:
 1. Name of horse
 2. Name of trainer
 3. Barn number
 4. Stall number
- Supplemental security staff, provided by a licensed security contractor and licensed by the CHRB, are called in the morning of the race to meet with the Director of Security for the following instruction:
 - A. An overview of the race track operating procedures
 - B. A briefing of their duties throughout the day
 - C. All guards are asked to sign out for their specific video camera
 - D. A form is provided by the CHRB to each guard which is to be signed by the attending veterinarian when administering medication to bleeders.
 - E. Each guard is given a video camera to record ALL activities involving individuals entering and exiting their assigned stall. Instruction is given to first record the posted number on the stall to confirm that the camera is directed at the assigned horse.
 - F. Instruction is given to monitor any and all suspicious activity and to contact the Director of Security if and when suspicious activity occurs.
 - G. Guards are instructed to position themselves as close to the horse's stall without jeopardizing safety.
 - H. The horse and handler will be followed on foot by each guard to the receiving barn before the race.
 - I. After all horses are safely in the receiving barn, the guards are instructed to meet in the Security office with the Director of Security. The guards sign that they have returned their video camera and participate in a discussion of the day's surveillance activities.
- Surveillance videotapes are saved until all test results have received a negative result.

PACIFIC RACING ASSOCIATION
ATTACHMENT 12B (3)

EXHIBIT A

Track is entitled to perform physiological tests consisting of the taking of blood samples from owners' horses entered in races to be conducted at the 2007 race meets. It is the understanding of the parties that such samples will be tested for bicarbonate levels. Trainers of horses showing a total carbon dioxide (TCO₂) of 37 millimoles per liter of plasma or more, and owners' horses within their control, will be subject to the following:

- 1st Incidence** - For the first test that results in a total carbon dioxide (TCO₂) of 37 millimoles per liter of plasma or more, the registered trainer of such horse shall have his/her barn, and all owners' horses stabled therein, subject to surveillance for a period of 45 days from the date set by the TCO₂ Committee. Such surveillance may include, but not be limited to, the placing of surveillance cameras with recording devices in any location within that barn that TRACK deems necessary and appropriate to ensure the integrity of racing. Additionally, owners' horses entered by said trainer anytime within a period of 30 days from the date set by the TCO₂ Committee, will be quarantined to a Protection Barn beginning at noon on the day before said horse is scheduled to compete. The costs of such quarantine/surveillance including, but not limited to, \$150.00 for security and \$25.00 for stall renovation per horse/entrant for stall renovation, per day, being born by the trainer or owner of such horse.
- B. 2nd Incidence** - For the second test that results in a total carbon dioxide (TCO₂) of 37 millimoles per liter of plasma or more, which occurs within three years of a prior incidence, the registered trainer of such horse shall have his/her barn, and all owners' horses stabled therein, under surveillance for a period of 75 days from the date set by the TCO₂ Committee. Such surveillance may include, but not be limited to, the placing of surveillance cameras with recording devices in any location within that barn that TRACK deems necessary and appropriate to ensure the integrity of racing. Additionally, owners' horses entered by said trainer anytime within a period of 60 days from the date set by the TCO₂ Committee, will be quarantined to a Protection Barn beginning at noon the day before said horse is scheduled to compete. The costs of such quarantine/surveillance including, but not limited to, \$150.00 for security and \$25.00 for stall renovation per horse/entrant for stall renovation, per day, being born by the trainer or owner of such horse.

- C. 3rd Incidence** - For the third test that results in a total carbon dioxide (TCO₂) of 37 millimoles per liter of plasma or more, which occurs within three years of a prior incidence, the registered trainer of such horse shall have his/her barn, and all owners' horses stabled therein, under surveillance for a period of 105 days from the date set by the TCO₂ Committee. Such surveillance may include, but not be limited to, the placing of surveillance cameras with recording devices in any location within that barn that TRACK deems necessary and appropriate to ensure the integrity of racing. Additionally, owners' horses entered by said trainer anytime within a period of 90 days from the date set by the TCO₂ Committee, will be quarantined to a Protection Barn beginning at noon the day before said horse is scheduled to compete. The costs of such quarantine/surveillance including, but not limited to, \$150.00 for security and \$25.00 for stall renovation per horse/entrant for stall renovation, per day, being born by the trainer or owner of such horse.

Track further agrees that it shall enforce these penalties when imposed as a result of similar contract provisions with other racing associations in California. By way of example only, Track agrees that should any horse running at its meet be subject to detention barn confinement as the result of a positive at another association, Track will continue to require detention barn confinement for the remainder of said 30 day period. Also by way of example, should a trainer have a TCO₂ positive or positives at a race meet other than its own and a subsequent positive at Track's race meet or at another associations meet, Track will enforce paragraph B, and may, at its discretion, enforce paragraph C above as though the original positive(s) had taken place at its meet.

**Attachment to PRA License Application
12B (2) and 12C (1):**

Detention Barn Surveillance:

Barn #44 contains 27 stalls and is utilized as our Transit and Detention Barn. The surveillance system in place contains cameras strategically placed to monitor entrances and exits along with a camera monitoring each stall.

The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place.

Stable Gate Surveillance:

Cameras are strategically placed to monitor all activities at the Main Stable Gate and the Horsemen Walk-In Gate.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

Every horse in every race has been tested since early January 2005

B. Plan for enhanced surveillance for trainers with high-test results.

24 Hour detention and video surveillance prior to the race

C. Plan for detention barns for repeat offenders.

Assigned to detention barns with 24 hour surveillance

D. Number of security personnel assigned to the TCO2 program.

As needed per the direction of CHRB staff

C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention barn and stable gate.

Attached

D. For night racing associations. Describe emergency lighting system: **Not Applicable.**

13. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and the running of the races:

**Brad Winding Turf Rescue, LLC, 19615 Barclay Road, Castro Valley, CA 94546,
(510) 581-8470**

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites:

**Bay Meadows - Bayshore Ambulance, P. O. Box 4622, Foster City, CA 94404, 650- 525-9700
Pleasanton – American Medical Response, 640-143rd Ave., San Leandro, CA 94577, 510-895-7600**

C. Describe the on-track first aid facility, including equipment and medical staffing: **Attached**

D. Name and emergency telephone number of the licensed physician on duty during the race meeting:
(If quarter horse racing association see D(1):

Dr. David Seftel

Office Number: 510-559-7375, Cell Number: 650-520-6204

1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services:

No hospital located within 1.5 miles of the racetrack.

E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

Alta Bates Summit Medical Center, 2450 Ashby, Berkeley, CA 94705 (510) 204-4444

F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**



Description of GGF Medical Clinic (Live Racing)

Services (Mission)

- Pre-race examinations on jockeys;
- Preventive & curative medical services for jockeys;
- Urgent care facility for jockeys;
- Assist CHRB in assessment of any impaired individuals;
- Urgent care for patrons & GGF employees.

Staffing

- Physician Medical Director ("Track Physician");
- Full-time Medical Assistant;
- Part-time Medical Assistant "Intern".

Equipment

- Advanced cardiac life support (ACLS) equipment;
- 12-Lead EKG;
- Lung function testing equipment;
- Ultrasound (for internal organ injury assessment);
- Blood work & hematology supplies & equipment;
- Basic surgical care supplies & equipment.

Availability

- One-hour before first posted race until one-to-two hours following last posted race;
- Extended hours for necessary follow-up care and/or upon request from track management or CHRB.

EMERGENCY MEDICAL PROCEDURES FOR ON-TRACK INJURY TO JOCKEYS

"FIRST RESPONSE"

- In the event of an accident, the Stewards and/or Outriders shall immediately contact the Track Physician ("Jockey Down") using Radio Channel #7 *(or the accident may very well be witnessed directly by the Track Physician);*
- The on-track GGF Human Ambulance (manned by GGF-contracted EMTs) and the Track Physician (transported via the GGF "chase" or "Vet" truck) shall respond immediately to the site of the accident;
- The attending medical professionals shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) shall be made by the Track Physician.



"ON-SITE EVALUATION"

- Based on the Track Physician's "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
 - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall transport the injured jockey(s) directly to the GGF Medical Clinic; or,
 - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance *(a Fire Dept. truck shall also respond).*



"INJURY TREATMENT"

- If the injured jockey(s) is treated at the GGF Medical Clinic, the Track Physician shall be the primary care provider unless (or until) the Track Physician surrenders custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) shall be transferred to this ambulance *(accompanied by the Track Physician)* at either of the two following locations for transport to a local hospital;
 - If the injuries are deemed less severe, the jockey will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
 - If the injuries are deemed severe and the jockey(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.

In consultation with the Track Physician, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

(REV 1.0, JUNE 2007)

PROCEDIMIENTOS MÉDICOS EN EMERGENCIAS

PARA LESIONES DE JOCKEYS EN LA PISTA

"PRIMERA RESPUESTA"

- En caso de accidente, los comisarios y/o escoltas deberán contactar inmediatamente al Médico de Pista ("Jockey Abajo") usando el canal de radio nº7 (*salvo que el Médico de Pista sea testigo directo del accidente*);
- La Ambulancia para Humanos de GGF (con personal de emergencias médicas contratado por GGF) y el Médico de Pista (transportado a través del camión de "chase" o "Vet" de GGF) deberá acudir en forma inmediata al lugar del accidente;
- Los médicos que asistan deberán estar equipados con soporte vital cardíaco avanzado (ACLS) y otros equipos y elementos necesarios para el tratamiento médico;
- El Médico de Pista hará una "evaluación en el lugar" de las lesiones del jockey.



"EVALUACIÓN EN EL LUGAR"

- En base a la "evaluación en el lugar" de lesiones por parte del Médico de Pista, se tomará una decisión acerca de si tratar al jockey lesionado en el lugar o pedir transporte de emergencia médica para un tratamiento en un hospital o centro de salud;
 - Si se considera suficiente el tratamiento en el lugar, la Ambulancia para Humanos de GGF trasladará al jockey lesionado directamente a la Clínica Médica de GGF; o,
 - Si se considera necesario un tratamiento fuera del lugar, se usará el "911" para pedir una ambulancia del Departamento de Bomberos de la Ciudad de Albany (*un camión del Departamento de Bomberos también acudirá*).



"TRATAMIENTO DE LA LESIÓN"

- Si el jockey lesionado recibe tratamiento en la Clínica Médica de GGF, el Médico de Pista será el que proporcione atención primaria a menos que (o hasta que) el Médico de Pista dé de alta al paciente en base a su juicio médico;
- Si se requiere que acuda la ambulancia del Departamento de Bomberos de la Ciudad de Albany, el jockey lesionado será transferido a esta ambulancia (*acompañado por el Médico de Pista*) en cualquiera de los siguientes lugares para luego ser trasladado a un hospital local;
 - Si se considera que las lesiones son menos severas, el jockey será trasladado por la Ambulancia Humana de GGF a una ubicación fuera de la pista para ser recogido por la ambulancia del Departamento de Bomberos de la Ciudad de Albany; o,
 - Si se considera que las lesiones son severas y no puede moverse al jockey, la ambulancia del Departamento de Bomberos Ciudad de Albany será conducida por el personal de seguridad de GGF directamente sobre la pista para recoger al paciente.

- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to B&P Code 19481.3(d):
Roy Roenbeck, Director of Safety and Compliance
Meggie Ghidella, Director of Human Resources, will serve as Assistant Safety Manager.
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
Berkeley fire clearance attached.
Albany fire clearance attached.
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **Liberty International - #On file**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.
Attached.

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall pursuant to B&P Code 19481.3 maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in Section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

14. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

Tip Sheets **Jack's Blue Card, 127 Sun Avenue, Hayward, CA 94544**

Armored Car Services **Loomis Armored Car, P.O. Box 44196, San Francisco, CA 94144**

Track Physician **Dr. David Seftel, Conocen Corp., 20066 Austin Lane, Castro Valley, CA 94546**

Official Program **Del Mar Graphics, 1100 Eastshore Highway, Albany, CA 94706**

Jockey's Laundry **F. Lorene Dutton, Bailey's Mobile Laundry, 3263 Vineyard Ave., Pleasanton, CA 94566**

Starting Gate **Mike Costello, United Puett Starting Gate Co., P.O. Box 18, S. Salem, NY 10590**

Track Photographer **Bill Vassar, Vassar Photography, 1167 Sapphire Drive, Livermore, CA 94550**



FIRE DEPARTMENT
FIRE PREVENTION BUREAU

4 February 2008

Calvin Rainey
Vice-President and Assistant General Manager
Golden Gate Fields
1100 Eastshore Highway
Albany, CA 94706

Dear Mr. Rainey

On January 31, 2008, this office under the Fire Prevention Code, NFPA 1, conducted a Fire and Life Safety inspection and the Fundamental Requirements listed in the *Life Safety Code*, NFPA 101, Chapter 2, the 2007 California Fire Code and California Code of Regulations. Listed below are the results of the inspection and code references. All areas of Golden Gate Fields Race Track, within the jurisdiction of the Albany Fire Department have not been inspected. Areas that have been inspected include the Administration Offices, kitchens, snack shops, public areas and some non-public areas of A & B Decks, public areas and some non-public areas of the Club House & Turf Club.

GENERAL

This building is in good condition. Housekeeping in the public areas are maintained, fire extinguishers and existing exit/panic hardware and egress doors are in serviceable condition. Exit signs and emergency illumination appear to be in working order. The fire alarm system had a test on December 20th, 2007 with no deficiencies or problems noted. Fire & Life Safety requirements appear to be in order.

GGF Main Building – Administration Offices, Turf Club, Club House, A & B Decks, Public & Non Public Areas

1. Extension cords shall not be used in lieu of permanent wiring, remove from numerous offices and other areas.

CFC, Article 85, Section 8506.1, 2001 Edition

2. Multiplug adapters do not comply with the fire code or the Electrical Code. Discontinue use.
CFC, Chapter 85, Section 8507, 2001 Edition

3. Service kitchen hood & duct suppression system every 6 months. All Fire hood and duct suppression systems are past due.

CCR, Title 19. Public Safety, Division 1, Chapter 5, Article 4, sub section 904(2)

4. Other areas not open to the public, A & B Decks; Club House & Turf Club shall be inspected at a later date.

Equine Hospital, GGF

1. To be inspected.

Corporation Yard, GGF

1. To be inspected.

Conditional Fire Clearance

Conditional fire clearance is granted for the May 14, 2008 through June 22, 2008 Racing Season. All Fire & Life Safety items are being completed. Before the May/June 2008 racing season ends, all areas of GGF shall be inspected. During the course of the May/June 2008 Racing Season, the Albany Fire Prevention Bureau will conduct periodic Fire & Life Safety Inspections. In the event of a flagrant Fire or Life Safety violation, their clearance will be revoked.

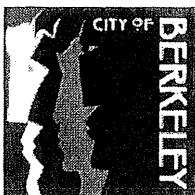
If you have any questions, please do not hesitate to contact me at (510) 528-5775.

Sincerely,



Brian J. Crudo
Battalion Chief/Fire Marshal

cc: Marc McGinn, Fire Chief
Andrea Ogden, C.H.R.B.
Peter Tunney, Vice-President, GGF
Robert Hartman, General Manager, GGF
Merry Scalzo, Director of Operations, GGF
Roy Roenbeck, Director of Safety and Compliance, GGF



Department of Fire and Emergency Services
Division of Fire Prevention

January 24, 2008

Golden Gate Fields
Attn: Mary Scalzo
Director of Operations
Berkeley, CA 94710

Re: Fire Life Safety Inspection (Conducted 1/24/2008 valid thru 1/24/2009)

Ms. Scalzo,

First of all it was pleasure to meet with you and your staff at the site. We were very impress with your layout, upkeep and maintenance procedures for the fire detection / notification devices.

We did not discover any outstanding fire life and safety violations; although we would like to suggest recommendations should you want to entertain them.

- Install emergency lighting in temporary lodging dormitories, in case of a power outage.
- Place no smoking signs throughout the property (Stalls, sleeping areas, etc.) – as a preventive measure due to the construction type and dry feed.

We do very much appreciate the interest you have taken to ensure that Golden Gate Fields- horse stables and adjoining buildings are compliant. As mentioned, we would be more than happy to assist your primary insurance carrier (Factory Mutual) with their next compliance inspection. Should you have any questions regarding the inspection process, contact my office at 510.981-5582. Once again, thank you for the opportunity to be of service.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Fernandez". The signature is written in a cursive, flowing style.

Stan Fernandez, Fire Inspector

Ref. No. 320005753045

CERTIFICATE OF INSURANCE

Aon Reed Stenhouse Inc.
 20 Bay Street
 Toronto ON M5J 2N9
 tel 416-868-5500 fax 416-868-5580

Re: Evidence of Insurance

California Horse Racing Board
 Attention : Insurance Department
 1010 Hurley Way
 Sacramento, CA 95825
 USA

Insurance as described herein has been arranged on behalf of the Insured named herein under the following policy(ies) and as more fully described by the terms, conditions, exclusions and provisions contained in the said policy(ies) and any endorsements attached thereto.

Insured

Magna Entertainment Corp.;a/o Pacific Racing
 Association;a/o Golden Gate Fields;a/o MI Developments
 Inc.
 1100 Eastshore Highway
 Albany, CA 94706
 USA

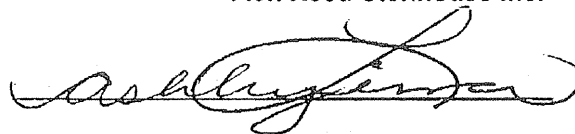
Coverage

Commercial General Liability	Insurer	Zurich American Insurance Company	
Policy #	GLO 9302183-05		
Effective	01-Jan-2007	Expiry	01-Apr-2008
Limits of Liability	Bodily Injury & Property Damage, Each Occurrence USD2,000,000 Subject to Aggregate Where Applicable Policy may be subject to a general aggregate and other aggregates where applicable		
US Workers Comp/Employers Liability	Insurer	Liberty Mutual Insurance Company	
Policy #	WC1-B71-072827-038		
Effective	01-Jan-2008	Expiry	01-Jan-2009
Limits of Liability	Workers Compensation		

THIS CERTIFICATE CONSTITUTES A STATEMENT OF THE FACTS AS OF THE DATE OF ISSUANCE AND ARE SO REPRESENTED AND WARRANTED ONLY TO THE INSURED. OTHER PERSONS RELYING ON THIS CERTIFICATE DO SO AT THEIR OWN RISK.

Aon Reed Stenhouse Inc.

Dated : 07-January-2008
 Issued By : Lima,Ashley Marie
 Tel : 416-868-5691



THE POLICY CONTAINS A CLAUSE THAT MAY LIMIT THE AMOUNT PAYABLE
 OR, IN THE CASE OF AUTOMOBILE INSURANCE,

THE POLICY CONTAINS A PARTIAL PAYMENT OF LOSS CLAUSE



15. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Describe any promotional plans:

The tentative spring 2008 promotional/giveaway schedule is listed below (subject to change).

May 14, 2008 – Opening Day

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes

May 15, 2008

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes.
- Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.

May 16, 2008

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes.

May 17, 2008 – Preakness Stakes

- Alarm Clock Giveaway where all fans will receive one giveaway item with paid admission while supplies last.

May 18, 2008

- \$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.

May 22, 2008

- Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.

May 24, 2008

- Bounce Back coupon – Fans may redeem a Club House Bounce Back coupon that was distributed on a previous race day during the 2008 meet.

May 25, 2008

- \$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.
- Live Entertainment – Fans will enjoy the excitement of a band performing throughout the race day.

May 26, 2008 – Memorial Day

- Beach Towel Giveaway where all fans will receive one giveaway item with paid admission while supplies last.
- Family Day – Pony Rides, Petting Zoo, Face Painters, and Bounce Jumps.

May 29, 2008

- Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.

May 31, 2008

- Direct Mail Offer – “Day on Us” – Fans on the GGF Mailing list will receive 2 complimentary Club House Admission passes, a General parking pass, complimentary Program, and a complimentary Racing Form.

June 1, 2008

- \$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.

June 4, 2008

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes.

June 5, 2008

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes.
- Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.

June 6, 2008

- Direct Mail Offer – Fans on GGF Mailing List will receive 2 complimentary Club House Admission Passes.

June 7, 2008 – Belmont Stakes

- Mystery Mutuel Voucher – Fans on GGF Mailing List will receive a complimentary voucher.
- Wine and Crab Festival – A variety of wineries from Napa, Sonoma and the Central Coast will be onsite for sampling California wine and new varietals from their vineyards. Culinary crab creations by our Executive Chef will be available at the festival as well. Fans participating in the event will receive a complimentary wine glass with admission into the festival.

June 8, 2008

- \$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.

June 12, 2008

- Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.

June 14, 2008

- T-Shirt Giveaway where all fans will receive one giveaway item with paid admission while supplies last.

June 15, 2008

- \$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.
- Family Day – Pony Rides, Petting Zoo, Face Painters, and Bounce Jumps.
- Father's Day Turf Club Brunch.

June 19, 2008

- **Senior Thursday – Seniors 62 and Older will receive FREE Club House or FREE Grandstand Admission with a THOROUGHBREDS card.**

June 21, 2008

- **Bounce Back coupon – Fans may redeem a Club House Bounce Back coupon that was distributed on a previous race day during the 2008 meet.**

June 22, 2008 – Closing Day

- **\$1 Day – Fans will receive \$1 General Admission, \$1 General Parking, \$1 Program, \$1 Hot Dog, \$1 Soda, and \$1 Beer.**
- **Live Entertainment – Fans will enjoy the excitement of a band performing throughout the race day.**

B. Number of hosts and hostesses employed for meeting:

4 Customer Service Representatives

5 Group Sales Representatives

C. Describe facilities set aside for new fans:

Customer Service – Our customer service center is open year round with trained customer service representatives to assist fans with general racing information, maintain our frequent fan club known as the THOROUGHBREDS, and assist with ExpressBet sign ups and account maintenance.

Mutuel Newcomer Window - A specific Mutuel teller window has been created which includes a hand-selected Mutuel clerk trained in customer service.

Manager on Duty Program – This program was designed to ensure interaction between managers, employees and the fans. There are 15 managers in rotation who are assigned specific days in which they interact with the fans to help with any questions while doing a site inspection for safety and cleanliness.

Group Sales Contest Area – All group attendees can enter contests for prizes which creates a festive atmosphere where people can mingle and share their handicapping prowess.

D. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. **Horsemen**

- **Plan to renovate the stalls in the paddock area.**
- **Plan to construct a Horsemen's Lounge including a business center and morning workout viewing/breakfast dining area within the facility in close proximity to the paddock.**
- **Built a new starting gate ramp at the ¾ chute.**
- **Installed a new synthetic racetrack surface.**
- **Replaced lead weights that are placed in a carrying pouch under the race saddle with Best Pad race weight pads, a combination of felt, high-density polymer and vulcanized rubber which was well received by the Jockey's Room.**
- **Installed a concrete walkway from the barn area to the frontside facility.**

2. Fans

- Renovate the Turf Club including new carpet, painting, ceiling tiles, and lighting.
- Order new tables and chairs in the Turf Club so as to increase the Group Sales seating capacity.
- Transform the Horse Wizard Lounge into a Sports Bar by adding televisions that will broadcast horse racing and sports, adding tables, chairs, and bar stools, add counter and chairs to existing structure to make a comfortable place to watch and handicap the races, and incorporate full service bar.

2. Facilities in the restricted areas **Equine Hospital**

16. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from the previous year:

Admission (general)	\$4.00
Admission (club house)	\$6.00
Admission (turf club)	\$10.00 Weekdays
Admission (turf club)	\$15.00 Weekends & Holidays
Reserved seating (general)	N/A
Reserved seating (clubhouse)	\$3.00 (No charge with Thoroughbreds card)
Parking (general)	\$4.00
Parking (preferred)	\$8.00
Parking (valet)	\$8.00
Programs (on-track)	\$2.25
(off-track)	\$2.25

Thoroughbred Club Members

General Admission:		Club House Admission:	
1-3 Visits	\$3.00	1-3 Visits	\$4.00
4-8 Visits	\$2.50	4-8 Visits	\$3.50
9-15 Visits	\$2.00	9-15 Visits	\$3.00
16-20 Visits	\$1.50	16-20 Visits	\$2.50
Over 20 Visits	\$1.00	Over 20 Visits	\$2.00
		Reserved seating	Free

Thoroughbred Club Prepaid Admissions

Valid during live and ITW

TB Club Members can purchase a minimum of 30 Prepaid G/A admissions @ \$1.75 each
TB Club Members can purchase a minimum of 15 Prepaid C/H admissions @ 3.50 each

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

Turf Club – Full Season Single Membership	\$ 1,000.00
Turf Club – Full Season Dual Membership	\$ 2,000.00
Top of the Stretch – Full Season Membership	\$ 500.00
Club House Box (4 seats, no admission)	\$ 450.00
Club House Season Pass (Admission only)	\$ 400.00
Grandstand Season Pass (Admission only)	\$ 200.00

C. Describe any "package" plans such as combined parking, admission and program: **None**

17. JOCKEYS/DRIVERS' QUARTERS

- A. Check the applicable amenities available in the jockeys/drivers' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="23"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

- B. Describe the quarters to be used for female jockeys/drivers:

Fifteen by twenty foot room accessed from a community hallway. The room has a television and bed with an attached shower room, sink and toilet.

18. BACKSTRETCH EMPLOYEE HOUSING

- A. Inspection of backstretch housing was completed by **Anne Glasscock on October 4, 2007.**
- B. Number of rooms used for housing on the backstretch of the racetrack: **128**
- C. Number of restrooms available on the backstretch of the racetrack:
18 with showers, 7 in office areas.
- D. Estimated ratio of restroom facilities to the number of backstretch personnel:
1 restroom for every 12 people.

19. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: feet.
- B. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.
Inner and outer railings are metal gooseneck. Coverings are Rider Protection Rail by Horsemen's Track & Equipment, Inc. Approximate height of the top of the inner railing is 42 inches.
- C. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474:
Juan Meza
- D. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. **On File**
- E. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on

the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **Not applicable.**

20. DECLARATIONS

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No exceptions.**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
CTT agreement attached.
TOC agreement in negotiation – will be submitted to Board upon receipt.
- C. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made). **Not applicable.**
- D. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):
No exceptions.
- E. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions.**

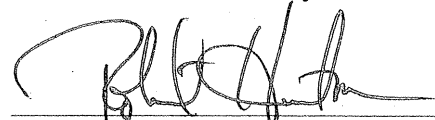
NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

21. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

Robert Hartman
Print Name

General Manager
Print Title


Signature

2/11/08
Date

STAFF ANALYSIS
PROPOSED AMENDMENT OF
RULE 1865. ALTERING OF SEX OF HORSE

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19420 provides that jurisdiction over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the California Horse Racing Board (Board). Business and Professions Code section 19440 states responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering, and the administration and enforcement of all laws, rules, and regulations affecting horse racing and pari-mutuel wagering. Business and Professions Code section 19460 provides that all licenses issued by the Board are subject to all rules, regulations, and conditions from time to time prescribed by the Board. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provisions of Business and Professions Code Chapter 4, under which all horse races with wagering on their results shall be conducted in California. Board Rule 1865, Altering of Sex of Horse, states that any alteration of the sex of a horse from the sex recorded on the certificate of foal registration or the eligibility certificate or other official registration certificate of the horse shall be reported to the racing secretary and the official horse identifier if the horse is entered to race at any race meeting.

During the 06/07 fiscal year the stewards issued 44 rulings against trainers who did not report the gelding of a horse by time of entry. The typical fine for each of those violations was \$300. The issue of failure to report, or untimely reporting of a first time gelding was discussed at the February 2007 Pari-Mutuel/ADW and Simulcast Committee (committee) meeting. The committee revisited the issue in July 2007 and considered possible sanctions for first time gelding reporting violations, including increasing the typical fine to \$1,000. At the Board's September 2007 Regular Meeting the issue of late or non-reporting of first time geldings was discussed. After hearing from interested parties, the Board directed staff to draft a regulation that would provide for scratching a horse entered to race if the trainer failed to report a first time gelding in a timely manner. At the November 2007 Regular Board Meeting staff was directed to initiate a 45-day public comment period regarding the proposed amendment of Rule 1865.

A hearing for adoption of the proposed amendment to Rule 1865 was held at the Board's February 2008 Regular Meeting. At the hearing industry representatives objected to the requirement that a horse entered to race be scratched if its true sex was not listed on its certificate of registration by the scratch time designated for the race in which it was entered. Industry representatives stated despite the best efforts of the trainer, information regarding a

horse's true sex could be improperly reported on the program, as there were many points at which such information could be entered in error. Further, the error could easily be remedied, and scratching the horse a day and a half before the race would unnecessarily reduce the field. Scratching the horse would also penalize the owner and racing fans. After discussing the issue, the Board directed staff to change the text of the proposed regulation to provide for a minimum \$1,000 fine if the trainer failed to ensure the true sex of the horse was not entered on the certificate of registration on file in the racing office. The text of the proposed regulation was amended and noticed for a 15-day public comment period.

During the 15-day public comment period staff received comments objecting to the proposed \$1,000 minimum fine. The comments stated the idea was not to fine trainers, but to ensure the information regarding the true sex of the horse was correct, or not allow the horse to run. If a horse was gelded since its last start, but the gelding was not noted in the program, it should be scratched. Staff was subsequently directed to provide text that would allow the Board to consider one of two options:

- (1) A minimum fine of \$1,000 for a trainer whose horse is not properly identified as a first time gelding in the official program, or
- (2) Provide that any horse gelded since a prior start shall be scratched if the horse's true sex was not correctly noted on the official program.

ANALYSIS

Draft "A" of the proposed amendment to Board Rule 1865 adds a new subsection 1865(d), which would establish a \$1,000 minimum fine for failure to identify a horse as a first time gelding in the official program. The prospect of the increased fine is meant to cause trainers to ensure the true sex of the horse is reported on the entry form, which has a space for reporting first time geldings.

Draft "B" of the proposed amendment adds a new subsection 1865(d), which provides that if a horse entered to race has been gelded since its prior start it shall be scratched if the horse's true sex is not correctly noted on the official program. While this requires the scratching of a horse that has run previously, it allows first time starters that have been gelded to run in the event of misidentification in the program.

RECOMMENDATION

This item is presented for Board discussion and action.

DRAFT "A"

CALIFORNIA HORSE RACING BOARD
 TITLE 4. CALIFORNIA CODE OF REGULATIONS
 ARTICLE 15. VETERINARY PRACTICES
 PROPOSED AMENDMENT OF
 RULE 1865. ALTERING OF SEX OF HORSE

Regular Board Meeting
 March 27, 2008

Single Underlined text represents the original language as noticed December 28, 2007, through February 11, 2008, and heard by the Board on February 28, 2008.

Deletions to the proposed text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed March 10, 2008 through March 25, 2008.

Subsequent deletions to the text appear as ~~**Bold Italicized Double Strikethrough**~~ and new and revised text appears as **Bold Double Underlined**.

1865. Altering of Sex of Horse.

Any alteration to the sex of a horse from the sex as recorded on the ~~Certificate of Foal Registration~~ certificate of foal registration or the ~~Eligibility Certificate~~ eligibility certificate or other official registration certificate of such the horse shall be reported to the ~~Racing Secretary~~ racing secretary and the ~~Official Horse Identifier~~ official horse identifier if such the horse is ~~registered~~ entered to race at any race meeting.

(a) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse be ~~is~~ performed on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration ~~same~~ within 72 hours.

(b) ~~Should~~ If the gelding or castration of a ~~race horse~~ racehorse ~~be~~ is performed off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously ~~registered~~ entered to race at any race meeting in this State,

DRAFT "A"

the owner and/or trainer shall report the same alteration at the time the horse is next registered entered to race.

(c) ~~Any such A~~ report of gelding or castration will include the name of the veterinarian performing the alteration and the date of the alteration, and shall be recorded on the official registration certificate and the ~~Official Horse Identification~~ official horse identification record of such the horse.

(d) Any trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office.

~~(1) The minimum penalty for failure to ensure that the true sex of the entered horse is listed on its certificate of registration on file in the racing office shall be not less than \$1,000. The minimum fine for a trainer whose horse is not properly identified as a first time gelding in the official program shall be \$1,000.~~

~~(1) If the true sex of a horse entered to race is not listed on its certificate of registration by the "scratch time" designated for the race in which the horse is entered, the stewards shall declare the horse from the race.~~

Authority: Sections 19420, 19440, 19460 and 19562,
Business and Professions Code.

Reference: Sections 19420 and 19562,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1865. ALTERING OF SEX OF HORSE

Regular Board Meeting
March 27, 2008

Single Underlined text represents the original language as noticed December 28, 2007, through February 11, 2008, and heard by the Board on February 28, 2008.

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1865. Altering of Sex of Horse.

Any alteration to the sex of a horse from the sex as recorded on the ~~Certificate of Foal Registration~~ certificate of foal registration or the ~~Eligibility Certificate~~ eligibility certificate or other official registration certificate of such the horse shall be reported to the ~~Racing Secretary~~ racing secretary and the ~~Official Horse Identifier~~ official horse identifier if such the horse is ~~registered~~ entered to race at any race meeting.

(a) ~~Should~~ If the gelding or castration of a race-horse ~~racehorse~~ be ~~is~~ performed on the premises of a licensed racing association, or other facility under the jurisdiction of the Board, the trainer shall report the alteration ~~same~~ within 72 hours.

(b) ~~Should~~ If the gelding or castration of a race-horse ~~be~~ racehorse ~~is~~ performed off the premises of a licensed racing association, or other facility under the jurisdiction of the Board, and the horse has been previously ~~registered~~ entered to race at any race meeting in this State,

DRAFT "B"

the owner and/or trainer shall report the same alteration at the time the horse is next registered entered to race.

(c) Any ~~such~~ A report of gelding or castration will include the name of the veterinarian performing the alteration and the date of the alteration, and shall be recorded on the official registration certificate and the ~~Official Horse Identification~~ official horse identification record of such the horse.

(d) Any trainer who enters a horse, or who causes a horse to be entered on his behalf, is responsible for ensuring that the true sex of the entered horse is listed on its certificate of registration on file in the racing office.

~~(1) The minimum penalty for failure to ensure that the true sex of the entered horse is listed on its certificate of registration on file in the racing office shall be not less than \$1,000. Any horse entered to race that has been gelded since a prior start shall be scratched if the horse's sex is not correctly noted on the official program.~~

~~(1) If the true sex of a horse entered to race is not listed on its certificate of registration by the "scratch time" designated for the race in which the horse is entered, the stewards shall declare the horse from the race.~~

Authority: Sections 19420, 19440, 19460 and 19562,
Business and Professions Code.

Reference: Sections 19420 and 19562,
Business and Professions Code.

STAFF ANALYSIS
PROPOSED AMENDMENT OF
RULE 1420, DEFINITIONS
AND THE PROPOSED ADDITION OF
RULE 1634, CLAIMING OPTION ENTRY

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 states the Board may prescribe rules, regulations, and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in this State. Business and Professions Code section 19408.2 defines a claiming race as a race in which any horse entered therein may be claimed in conformity with the rules established by the Board.

At its October 2007 Regular Meeting, the Board heard a Thoroughbred Owners of California (TOC) proposal to add a rule that would allow an owner to enter a horse in a claiming race with a declaration that such horse was ineligible to be claimed if the horse was returning from a lay-off of at least 180 days, and was entered for a claiming price equal to or greater than the price at which it last started. TOC stated many horse owners wished to give their horses time to rest, but they ran the risk of losing such horses as soon as they returned to racing. The TOC believed that horse owners who made an investment in their horses' health deserved a limited, optional protection from being claimed. At the October 2007 discussion the Deputy Attorney General (DAG) stated the Board faced a nomenclature issue. If horses were entered in a claiming race they could not be declared ineligible for claiming, as Business and Professions Code section 19408.2 provided a definition of a claiming race, which stated that any horse entered may be claimed in conformity with rules established by the Board. If the race were named something other than a "claiming race" the issue may "possibly" be solved. The Board directed staff to work with TOC and the DAG to develop a rule to implement TOC's proposal. A proposal to add Rule 1634, Alternative Claiming Races, was subsequently noticed for a 45-day public comment period.

A hearing for adoption of the proposed addition of Rule 1634 and the proposed amendment of Rule 1420 was held at the February 2008 Regular Board Meeting. At the hearing TOC stated the proposed addition of Rule 1634 was inconsistent with what it originally proposed. TOC added it could not support the rule as drafted. The intention of the TOC proposal was not to create a separate category of race, as there would rarely be enough horses coming back at any given time to write/offer a race limited to such horses. Other comments were received which questioned the "fairness" of giving horses that were returning from a layoff a "free pass" in claiming races. The Board determined that TOC's original conditions for claiming option entries should be incorporated into the text of the proposed Rule 1634; however, to address the

issue of fairness, the horse must be entered at a higher claiming price than the price at which it last started. The revised text was subsequently noticed for a 15-day public comment period.

After the February 28, 2008, hearing, staff and the Deputy Attorney General conferred with TOC and are now of the view that the latest proposal can be supported from a legal prospective sufficient to hopefully receive approval by the Office of Administrative Law. The initial legal concerns were that allowing a horse entered in a claiming race to be ineligible for claiming would be viewed as inconsistent with Business and Professions Code section 19408.2, which defines "claiming race." We now find two arguable bases for support of the proposed regulation:

1. Business and Professions Code section 19408.2 states horses may be "claimed in conformity with rules established by the Board." This provides some support for making non-claimable horses eligible for a claiming race.
2. The word "any" in Business and Professions Code section 19408.2 is ambiguous and subject to clarification by a regulation. The claiming race definition refers to a race "in which any horse entered" rather than a race "in which all horses entered" may be claimed.

Under the language of the statute if only two horses were entered which were subject to being claimed, the race arguably would be a "claiming race" as defined Business and Professions Code section 19408.2. While current Board rules and administrative practice have been only to refer to a "claiming race" as one in which all horses can be claimed, the interpretation appears to be open to alternative interpretation by Board regulation.

ANALYSIS

The proposed addition of Rule 1634 would allow a horse that is entered in a claiming race to be declared ineligible for claiming under certain conditions. The conditions are: 1) the horse must not have started for a period of at least 180 days since its last race; 2) the horse must be entered for a claiming price one class higher than at which it last started; 3) failure to declare the horse ineligible for claiming may not be remedied; and 4) ineligibility shall apply only to the first start after each layoff. The proposed regulation differs from TOC's original conditions only in that the horse must be entered for a claiming price greater than the price at which it last started.

On March 11, 2008, a comment was received regarding the proposed addition of Rule 1634. The comment stated a new rule was not needed, as the current practice of allowing optional claiming races could enable an allowance condition with an optional claiming price.

The TOC has made it clear that the optional claiming race is not an alternative it would endorse. It believes there are not enough optional claiming races written to enable the owner of a horse that has been laid off to find a race that fits the horse. "Allowance optional claiming" races, or "allowance claiming" races provide a claiming option entry for horses that do not meet the other entry criteria. A horse not meeting the alternative conditions may be allowed to enter the race if the horse is made eligible for claiming at the designated claiming price. Some of these races are allowances races. Some include allowances, while others

include no allowances, but include the option of entering a horse at a claiming price as an alternative to meeting the other conditions of the race. Such optional claiming races do not appear to cater to lower level horses as survey of condition books showed a typical claiming price of \$25,000 to \$50,000 or more.

RECOMMENDATION

One comment was received during the 15-day public comment period. This item is presented for Board consideration and action.

Reference: Sections 19408.2 and 19562,
Business and Professions Code.

STAFF ANALYSIS
PROPOSED AMENDMENT OF
RULE 1843.2, CLASSIFICATION OF DRUG SUBSTANCES
AND
PROPOSED ADDITION OF
RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19440 specifies that the Board shall have all powers, including but not limited to adopting rules and regulations for the protection of the public and the control of horseracing and pari-mutuel wagering. Business and Professions Code section 19580 states that the Board shall adopt regulations to establish policies, guidelines and penalties relating to equine medication to preserve and enhance the integrity of horse racing in this State. Section 19581 of the Business and Professions Code specifies that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. Business and Professions Code section 19582 provides that violations of section 19581, as determined by the Board, are punishable in regulations adopted by the Board, and that the Board may classify violations based upon each class of prohibited drug substances, prior violations within the previous three years and prior violations within the violator's lifetime. The Board may provide for suspensions of not more than 3 years. Effective January 1, 2008, the monetary penalties were changed from not more than \$50,000 to not more than \$100,000 dollars. The Board may also provide for disqualification from purses, except for a third violation during the lifetime of the licensee, for a drug substance determined to be class 1 or class 2, which shall result in the permanent revocation of the person's license. The punishment for second and subsequent violations of Business and Professions Code section 19581 shall be greater than the punishment for a first violation of section 19581 with respect to each class of prohibited drug substance.

At the April 2007 Regular Board Meeting an amendment to Rule 1843.2, Classification of Drug Substances, and the addition of Rule 1843.3, Penalties for Medication Violations, were adopted. The rulemaking was submitted to the Office of Administrative Law (OAL) in May 2007. During the 30-day OAL review several questions were raised regarding the texts. Rather than have the rulemaking disapproved, it was withdrawn to address the issues raised by OAL. The texts of the regulations were modified in accordance with OAL's concerns and noticed for an additional 15-day public comment period. The proposed amendment was readopted by the Board and resubmitted to OAL for review.

On December 4, 2007, OAL disapproved the proposed rulemaking. The disapproval was based on four reasons: 1) compliance with the Consistency standard of Government Code section 11349.1; 2) compliance with the Clarity standard of Government Code section 11349.1; 3) application of correct Administrative Procedures Act (APA) procedures; and 4) inadequate response to a comment made regarding the proposed action.

Government Code section 11349.1 defines Consistency as "...being in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law." The OAL disapproval stated there were a number of areas in the proposed regulations that were in conflict with existing law, and cited examples.

Government Code section 11349.1 defines Clarity as "...written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them." The OAL disapproval stated the regulations proposed to establish a complex penalty system, which needed to be understood by those affected by them, and cited several areas where the Clarity standard was not met.

The OAL disapproval letter contained examples of issues that caused the disapproval, *but OAL stated the examples were not exhaustive.* OAL warned that the regulations required significant redrafting, so it *reserved the right to conduct a complete APA review for compliance with the procedural requirements of the APA and for compliance with the substantive standards set forth in Government Code section 11349.1 when the regulations were resubmitted.* This means that OAL may review the resubmitted rulemaking in its totality, and find additional issues that could result in its disapproval.

On December 20, 2007, staff met with the OAL attorney who reviewed and disapproved the rulemaking. The OAL attorney and staff conducted a point-by-point review of the disapproval letter and the proposed texts. The texts of the proposed regulations were subsequently modified according to the issues discussed in the disapproval letter and the issues raised in discussion with the OAL attorney.

At its January 2008 Regular Meeting the Board directed staff to initiate a 15-day public comment period regarding the revised texts of Rule 1843.2 and Rule 1843.3.

During the 15-day public comment period staff received comments from the California Thoroughbred Trainers (CTT) and Thoroughbred Owners of California (TOC). The CTT and TOC objected to the maximum fine of up to \$100,000 for a trainer's second lifetime offense, Category "A" penalties. Under the proposed amendment a fine of up to \$100,000 could be levied if there are aggravating factors present. Both organizations stated they would prefer the penalty be set at \$50,000; a fine that would be more in keeping with the philosophy of incremental increases. The CTT stated that creating such a wide range of penalties could result in stewards or judges administering widely divergent penalties. The TOC stated it was concerned the proposal created too wide a

range, and did not serve as a suitable penalty because it increased the probability that divergent penalties for the same offenses would be issued.

The comments were accepted and the text of Rule 1843.3 was revised and noticed for another 15-day public comment period.

ANALYSIS

The OAL disapproval cited Consistency as an issue in the proposed rulemaking. Among the Consistency issues it cited were:

An amendment to Business and Professions Code section 19517.5 that allows the respondent in an enforcement proceeding to elect to have the matter referred either to a Board of Stewards of a hearing office appointed by the Board from a pool jointly developed by a list of interested parties. This amendment, which was effective January 1, 2008, was not reflected in the proposed rulemaking. In response, the texts of rules 1843.2 and 1843.3 were changed to include the boards of stewards, the hearing officer and the administrative law judge. (See page 1 of both texts)

Business and Professions Code section 19582 provides that the permanent revocation of a license is reserved for a third violation of a class I or class II penalty. However, the proposed Rule 1843.3 provided that the penalty against a trainer for a *second* lifetime offense of a Class "A" penalty – with the presence of aggravating factors – could be a maximum of license revocation with no reapplication for a three-year period. This penalty was changed to impose a maximum of a three-year suspension. (See page 4 of Rule 1843.3)

Business and Professions Code section 19582.5 states that on disqualification of a horse that tests positive upon a finding of a prohibited drug substance in an official test sample taken in connection with the race in which it competed, *any purse, prize, award, or record for that race shall be forfeited*. However, in Rule 1843.3 the owners' category "B" first and second offense penalties allowed for "loss of purse *in the absence of mitigating circumstances*." OAL stated Business and Professions Code section 19582.5 authorized the consideration of mitigating circumstances in relation to disqualification of the horse; it did not provide for mitigating circumstances with regards to forfeiture of the purse. This was addressed by removing the phrase: "in the absence of mitigating circumstances" from the text. (See page 5 of Rule 1843.3) In addition, where the phrase "in the absence of mitigating circumstances" was used, the placement was revised to clarify that the mitigating circumstances applied to the issuance of a fine. (See pages 4 & 6 of Rule 1843.3)

Among the Clarity issues cited by the OAL decision were:

OAL stated section 1843.3(i)(l) was not clear in that it was not clear if the regulation sought to discipline a veterinarian for “the administration of any drug” or “the *unauthorized* administration of any drug.” In addition, permanent revocation of a veterinarian’s license would be inconsistent with Business and Professions Code section 19582, which allowed for permanent revocation for a third violation. These issues were addressed by including the phrase: “any drug substance resulting in a positive test.” The prohibition against practicing at any California racetrack indefinitely was also removed. (See page 9 of Rule 1843.3)

The proposed section 1843.3(j) provided that any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency. OAL stated the Board does not have jurisdiction to make findings concerning criminal statutes. The subsection was removed. (See page 10 of Rule 1843.3)

Other issues relating to Clarity included terminology, and references to organizations and jurisdictions (i.e. “RCI” versus “ARCI”). The issues were addressed by deleting references where appropriate, by spelling out or defining acronyms and by consistency in use of acronyms.

RECOMMENDATION

No comments were received during the 15-day public comment period of February 15, 2008, through March 2, 2008.

Staff recommends the Board adopt the proposed amendment to Rule 1843.2 and the proposed addition of Rule 1843.3 as presented.

CALIFORNIA HORSE RACING BOARD
 TITLE 4. CALIFORNIA CODE OF REGULATIONS
 ARTICLE 15. VETERINARY PRACTICES
 PROPOSED AMENDMENT OF
 RULE 1843.2. CLASSIFICATION OF DRUG SUBSTANCES

Regular Board Meeting
 March 27, 2008

Single Underlined and ~~Single Strikethrough~~ text represent the original language adopted at the April 19, 2007 Regulatory Hearing.

Deletions to the adopted text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed August 27, 2007 through September 12, 2007, and adopted at the September 27, 2007 Regulatory Hearing.

Subsequent deletions to adopted text appear as ~~Bold Double Strikethrough~~ and new and revised text appears as ***Bolded Italicized Double Underlined*** as noticed January 29, 2008 through February 13, 2008.

1843.2. Classification of Drug Substances.

The ~~Board stewards~~, *the board of stewards, the hearing officer, or the administrative law judge*, when adjudicating a hearing *for a violation of Business and Professions Code section 19581* ~~for the finding of a drug substance(s) in a test sample taken from a horse participating in a race~~, shall consider the classification level of the substance as established referenced in the California Horse Racing Board (CHRB) Penalty ~~Category~~ *Categories* Listing ~~By~~ *by* Classification (~~12/07 Revised 01/08~~), hereby incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (4/05), *as modified by the Board*, below:

~~CLASS 1: Drug substances not approved by the Food and Drug Administration (FDA) for use or sale in the United States, and drug substances both medicinal and non-medicinal which have high abuse potential. These drug substances include, but are not limited to, stimulant and depressant drug substances, including opiates, opium derivatives, synthetic opioids, psychoactive~~

~~drugs, amphetamines, and Drug Enforcement Agency Schedule I and Schedule II drugs, listed in Title 21 Code of Federal Regulations, Section 1308.11 and Section 1308.12, respectively, which is hereby incorporated by reference.~~

~~CLASS 2: Drug substances which are pharmacologically active in altering consciousness or the psychic state, or therapeutic drug substances with potential for abuse. These drug substances include, but are not limited to:~~

- ~~a. Opiate partial agonists, or agonist-antagonists.~~
- ~~b. Non-opiate psychotropic drugs.~~
- ~~c. Drug substances which have as their major pharmacological effect stimulation of the central nervous system.~~
- ~~d. Drug substances which have as their major pharmacological effect depression of the central nervous system.~~
- ~~e. Antidepressant and antipsychotic drugs.~~
- ~~f. Neuromuscular blocking agents.~~
- ~~g. Parenteral local anesthetics, excluding procaine.~~
- ~~h. Snake venoms and other biologic substances that may be used as nerve blocking agents.~~

~~CLASS 3: Drug substances whose major pharmacological effects are on the cardiovascular, respiratory and/or autonomic nervous systems. These drug substances include but are not limited to:~~

- ~~a. Bronchodilators.~~
- ~~b. Procaine.~~

~~c. Antihistamines that exert an excitatory or depressant action on the central nervous system.~~

~~d. Primary vasodilators or hypotensive agents.~~

~~e. Cardiac glycosides and antiarrhythmics.~~

~~1. Cardiac glycosides.~~

~~2. Antiarrhythmic agents (exclusive of lidocaine, bretylium and propranolol).~~

~~f. Topical Anesthetics agents not available in injectable formulations.~~

~~CLASS 4: Drug substances which are approved by the FDA for human use, or used under extra-label guidelines as defined by the FDA. These drug substances include, but are not limited to, human-labeled non-steroidal anti-inflammatory agents, antihistamines, and some analgesics.~~

~~a. Non-opiate drug substances which have a mild central analgesic effect.~~

~~b. Drug substances pharmacologically active on the autonomic nervous system, not affecting the central nervous system, cardiovascular, or respiratory systems.~~

~~1. Drug substances used solely as topical vasoconstrictors or decongestants.~~

~~2. Drug substances used as gastrointestinal antispasmodics.~~

~~3. High ceiling and loop diuretics other than those authorized by the CHRB and carbonic anhydrase inhibitors.~~

~~4. Drug substances which have a major pharmacological effect on the central nervous system vasculature or smooth muscle of visceral organs.~~

~~c. Antihistamines whose pharmacological action is mediated by H1-receptors.~~

~~CLASS 5: Drug substances which have accepted therapeutic use in the horse. These drug substances include, but are not limited to, non-steroidal anti-inflammatory agents approved for equine veterinary use by the FDA, but not authorized by the CHRB.~~

~~a. Expectorants with minimal other pharmacologic action.~~

~~b. Non-steroidal anti-inflammatory drug substances (NSAIDs) approved for veterinary use in the United States, but not authorized by the CHRB.~~

~~CLASS 6: Drug substances which are therapeutically used in the maintenance of the health care of the horse. These drug substances include, but are not limited to, skeletal muscle relaxants, mucolytic agents, glucocorticoids, mineralocorticoids, osmotic and thiazide diuretics, anabolic and androgenic steroids, and specific peripheral vasodilators appearing in official test samples, as well as authorized medication exceeding the CHRB's authorized levels as established in Rule 1844(c)(1-4) of this division.~~

~~CLASS 7: Drug substances which are routinely used therapeutically to maintain the health of the horse. These drug substances include, but are not limited to, anthelmintic agents other than phenothiazine derivatives, oral adsorbent antidiarrheal agents, antihistamines whose pharmacological action is mediated by H2 receptors, antimicrobial such as sulfonamides, tetracyclines, and anti-fungal agents.~~

Authority: Sections 19580, 19581 and 19582,
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,
Business and Professions Code.

California Horse Racing Board (CHRB)

Penalty Categories Listing by Classification

Class 1: Stimulant and depressant drugs that have the highest potential to affect performance and that have no generally accepted medical use in the racing horse. Many of these agents are Drug Enforcement Agency (DEA) schedule II substances. These include the following drugs and their metabolites: Opiates, opium derivatives, synthetic opioids and psychoactive drugs, amphetamines and amphetamine-like drugs as well as related drugs, including but not limited to apomorphine, nikethamide, mazindol, pemoline, and pentylenetetrazol.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Alfentanil	Alfenta	1	A	Metaminol	Aramine	1	A
Amphetamine		1	A	Methadone	Dolophine	1	A
Anileridine	Leritine	1	A	Methamphetamine	Desoxyn	1	A
Apomorphine		1	A	Methaqualone	Quaalude	1	A
Benzylpiperazine (BZP)		1	A	Methylphenidate	Ritalin	1	A
Carfentanil		1	A	Metopon (methyldihydromorphinone)		1	A
Cocaine		1	B	Morphine		1	B
<u>Darb-erythropoetin</u>		<u>1</u>	<u>A</u>				
Dextromoramide	Palfium, Narcolo	1	A	Nikethamide	Coramine	1	A
Diamorphine		1	A	Oxycodone	Percodan	1	A
Endorphins		1	A	Oxymorphone	Numorphan	1	A
Enkephalins		1	A	Pemoline	Cylert	1	A
Ethylmorphine	Dionin	1	A	Pentylenetetrazol	Metrazol, Nioric	1	A
Etorphine HCl	M99	1	A	Phenazocine	Narphen	1	A
Fentanyl	Sublimaze	1	A	Phencyclidine (PCP)	Sernylan	1	A
Hydromorphone	Dilaudid	1	A	Phendimetrazine	Bontril, etc.	1	A
Hydroxyamphetamine	Paradrine	1	A	Phenmetrazine	Preludin	1	A
Levorphanol	Levo-Dremoran	1	A	Picrotoxin		1	A
Lofentanil		1	A	Piritramide		1	A
				<u>Recombinant equine- Growth Hormone</u>		<u>1</u>	<u>A</u>
				<u>Recombinant human- Growth Hormone</u>		<u>1</u>	<u>A</u>
Mazindol	Sanorex	1	A	Remifentanil	Ultiva	1	A
				<u>Recombinant human- erythropoetin</u>		<u>1</u>	<u>A</u>
Meperidine	Demerol	1	A	Strychnine		1	B
Mephentermine		1	A	Sufentanil	Sufenta	1	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
<u>Acecarbromal</u>		<u>2</u>	<u>A</u>	<u>Bentazepam</u>	<u>Tiadipona</u>	<u>2</u>	<u>A</u>
<u>Acetophenazine</u>	<u>Tindal</u>	<u>2</u>	<u>A</u>	<u>Benzactizine</u>	<u>Deprol, Bronchodiletten</u>	<u>2</u>	<u>A</u>
<u>Adinazolam</u>		<u>2</u>	<u>A</u>	<u>Benzoctamine</u>		<u>2</u>	<u>A</u>
<u>Alclofenac</u>		<u>2</u>	<u>B</u>				
<u>Alcuronium</u>	<u>Alloferin</u>	<u>2</u>	<u>A</u>	<u>Benzphetamine</u>	<u>Didrex</u>	<u>2</u>	<u>A</u>
<u>Alphaprodine</u>	<u>Nisentil</u>	<u>2</u>	<u>A</u>	<u>Benztropine</u>	<u>Cogentin</u>	<u>2</u>	<u>A</u>
<u>Alpidem</u>	<u>Anaxyl</u>	<u>2</u>	<u>A</u>	<u>Biriperone</u>		<u>2</u>	<u>A</u>
<u>Alprazolam</u>	<u>Xanax</u>	<u>2</u>	<u>A</u>	<u>Bromazepam</u>	<u>Lexotan, Lectopam</u>	<u>2</u>	<u>A</u>
<u>Althesin</u>	<u>Saffan</u>	<u>2</u>	<u>A</u>	<u>Bromisovalum</u>	<u>Diffucord, etc.</u>	<u>2</u>	<u>A</u>
<u>Amisulpride</u>	<u>Solian</u>	<u>2</u>	<u>A</u>	<u>Bromocriptine</u>	<u>Parlodel</u>	<u>2</u>	<u>A</u>
<u>Amitriptyline</u>	<u>Elavil, Amitril, Endep</u>	<u>2</u>	<u>A</u>	<u>Bromperidol</u>	<u>Bromidol</u>	<u>2</u>	<u>A</u>
<u>Amobarbital</u>	<u>Amytal</u>	<u>2</u>	<u>A</u>	<u>Brotizolam</u>	<u>Brotocol</u>	<u>2</u>	<u>A</u>
<u>Amoxapine</u>	<u>Asendin</u>	<u>2</u>	<u>A</u>	<u>Bupivacaine</u>	<u>Marcaine</u>	<u>2</u>	<u>A</u>
<u>Amperozide</u>		<u>2</u>	<u>A</u>	<u>Buprenorphine</u>	<u>Temgesic</u>	<u>2</u>	<u>A</u>
<u>Anilopam</u>	<u>Anisine</u>	<u>2</u>	<u>A</u>	<u>Buspirone</u>	<u>Buspar</u>	<u>2</u>	<u>A</u>
<u>Aprobarbital</u>	<u>Alurate</u>	<u>2</u>	<u>A</u>	<u>Buspropion</u>	<u>Wellbutrin</u>	<u>2</u>	<u>A</u>
<u>Azacylonol</u>	<u>Frenque</u>	<u>2</u>	<u>A</u>	<u>Butabarbital</u> (Secbutobarbitone)	<u>Butacaps, Butasol, etc.</u>	<u>2</u>	<u>A</u>
<u>Azaperone</u>	<u>Stresnil, Suicalm,</u> <u>Fentaz (with Fentanyl)</u>	<u>2</u>	<u>A</u>	<u>Butalbital (Talbutal)</u>	<u>Fiorinal</u>	<u>2</u>	<u>A</u>
<u>Barbital</u>	<u>Veronal</u>	<u>2</u>	<u>A</u>	<u>Butanilcaine</u>	<u>Hostacain</u>	<u>2</u>	<u>A</u>
<u>Bemegride</u>	<u>Megimide, Mikedimide</u>	<u>2</u>	<u>A</u>	<u>Butaperazine</u>	<u>Repoise</u>	<u>2</u>	<u>A</u>
<u>Benoxaprofen</u>		<u>2</u>	<u>B</u>				
<u>Benperidol</u>		<u>2</u>	<u>A</u>	<u>Butoctamide</u>	<u>Listomin</u>	<u>2</u>	<u>A</u>

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Caffeine		2	B	Clocapramine		2	A
Camazepam	Paxor	2	A	Clomethiazole		2	A
Captodiame	Covatine	2	A	Clomipramine	Anafranil	2	A
Carbidopa + levodopa	Sinemet	2	A	Clonazepam	Klonopin	2	A
Carbromol	Mifudorm	2	A	Clorazepate	Tranxene	2	A
Carphenazine	Proketazine	2	A	Clothiapine	Entermin	2	A
Carpipramine	Prazinil	2	A	Clotiazepam	Trecalmo, Rize	2	A
Chloralose (Alpha-Chloralose)		2	A	Cloxacolam	Enadel, Sepazon, Tolestan	2	A
Chloral betaine	Beta-Chlor	2	A	Clozapine	Clozaril, Leponex	2	A
Chloral hydrate	Nactec, Ondrate, etc.	2	A	Codeine		2	B
Chloraldehyde (chloral)		2	A	Conorphone		2	A
Chlordiazepoxide	Librium	2	A	Corticaine	Ultracain	2	A
Chlormezanone	Trancopal	2	A	Crotetamide		2	A
Chloroform		2	A	Cyamemazine	Tercian	2	A
Chlorhexidol		2	A	Cyclobarbitol	Phanodorm	2	A
Chloroprocaine	Nesacaine	2	A	Decamethonium	Syncurine	2	A
Chlorproethazine	Newiplege	2	A	Demoxepam		2	A
Chlorpromazine	Thorazine, Largactil	2	A	Desipramine	Norpromine, Pertofrane	2	A
Chlorprothixene	Taractan	2	A	Dezocine	Dalgan®	2	A
Citalopram	Celex	2	A	Diazepam	Valium	2	B
Clobazam	Urbanyl	2	A	Dichloralphenazone	Febenol, Isocom	2	A

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<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Diethylpropion	Tepanil, etc.	2	A	Ethylisobutrazine	Diquel	2	A
Diethylthiambutene	Themalon	2	A	Etidocaine	Duranest	2	A
Dihydrocodeine	Parcodin	2	A	Etifoxin	Stresam	2	A
Dilorazepam	Briantum	2	A	Etizolam	Depas, Pasaden	2	A
Diprenorphine	M50/50	2	A	Etodroxizine	Indunox	2	A
Dixyrazine	Esucos	2	A	Etomidate		2	A
Dopamine	Intropin	2	A	Fenarbamate	Tymium	2	A
				Fenclozic acid	Myalex	2	B
Doxapram	Dopram	2	A	Fenfluramine	Pondimin	2	A
Doxefazepam	Doxans	2	A	Fluanisone	Sedalande	2	A
Doxepin	Adapin, Sinequan	2	A	Fludiazepam	Erispam	2	A
Droperidol	Inapsine, Droleptan, Innovar-Vet (with Fentanyl)	2	A	Flunitrazepam	Rohypnol, Narcozep, Darkene, Hypnodorm	2	A
Enciprazine		2	A	Fluopromazine	Psyquil, Siquil	2	A
Ephedrine		2	A	Fluoresone	Caducid	2	A
Epibatidine		2	A	Fluoxetine	Prozac	2	A
Epinephrine		2	A	Flupenthixol	Depixol, Fluanxol	2	A
Erythropoietin (EPO)	Epogen, Procrit, etc.	2	A	Fluphenazine	Prolixin, Permitil, Anatenzol	2	B
Estazolam	Domnamid, Eurodin, Nuctalon	2	A	Flurazepam	Dalmane	2	A
Ethamivan		2	A	Fluspirilene	Imap, Redeptin	2	A
Ethanol		2	B	Flutoprazepam	Restas	2	A
Ethchlorvynol	Placidyl	2	A	Fluvoxamine	Dumirox, Faverin, etc.	2	A
Ethinamate	Valmid	2	A	Gallamine	Flaxedil	2	A
Ethopropazine	Parsidol	2	A	Gepirone		2	A

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<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Glutethimide	Doriden	<u>2</u>	A	Lithium	Lithizine, Duralith, etc.	<u>2</u>	A
Halazepam	Paxipam	<u>2</u>	A	Lobeline		<u>2</u>	A
Haloperidol	Haldol	<u>2</u>	A	Loflazepate, Ethyl	Victan	<u>2</u>	A
				Loperamide	Imodium	<u>2</u>	B
Haloxazolam	Somelin	<u>2</u>	A	Loprazolam	Dormonort, Havlane	<u>2</u>	A
Hemoglobin glutamers	Oxyglobin, Hemopure	<u>2</u>	A	Lorazepam	Ativan	<u>2</u>	A
Hexafluorenium	Myalexen	<u>2</u>	A	Lormetazepam	Noctamid	<u>2</u>	A
Hexobarbital	Evipal	<u>2</u>	A	Loxapine	Laxitane	<u>2</u>	A
Homophenazine	Pelvichthol	<u>2</u>	A	Maprotiline	Ludiomil	<u>2</u>	A
Hydrocodone (dihydrocodeinone)	Hycodan	<u>2</u>	A	Mebutamate	Axiten, Dormate, Capla	<u>2</u>	A
Hydroxyzine	Atarax	<u>2</u>	B	Meclofenoxate	Lucidril, etc.	<u>2</u>	A
Ibomal	Noctal	<u>2</u>	A	Medazepam	Nobrium, etc.	<u>2</u>	A
Imipramine	Imavate, Presamine, Tofranil	<u>2</u>	A	Melperone	Eunerpan	<u>2</u>	A
Isapirone		<u>2</u>	A	Meparfynol	Oblivon	<u>2</u>	A
Isocarboxazid	Marplan	<u>2</u>	A	Mepazine	Pacatal	<u>2</u>	A
Isomethadone		<u>2</u>	A	Mephenoqualone	Control, etc.	<u>2</u>	A
Isoproterenol	Isoprel	<u>2</u>	A	Mephentyoin	Mesantoin	<u>2</u>	A
Isoxicam	Maxicam	<u>2</u>	B				
Ketamine	Ketalar, Ketaset, Vetalar	<u>2</u>	B	Mephobarbital (Methylphenobarbital)	Mebaral	<u>2</u>	A
Ketazolam	Anxon, Lafram, Solatran, Loftran	<u>2</u>	A	Mepivacaine	Carbocaine	<u>2</u>	B
Lenperone	Elanone-V	<u>2</u>	A	Meprobamate	Equanil, Miltown	<u>2</u>	B
Levomethorphan		<u>2</u>	A	Mesoridazine	Serentil	<u>2</u>	A
Lidocaine	Xylocaine	<u>2</u>	B	Metaclozepam	Talis	<u>2</u>	A

Listing by Classification

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<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Metazocine		2	A	Nortriptyline	Aventyl, Pamelor	2	A
Metharbital	Gemonil	2	A	Olanzapine	Zyprexa	2	A
Methohexital	Brevital	2	A	Oxazepam	Serax	2	A
Methotrimeprazine	Levoprome, Neurocil, etc.	2	A	Oxazolam	Serenal	2	A
Methyprylon	Noludar	2	A	Oxyperitine	Forit, Integrin	2	A
Metocurine	Metubine	2	A	Pancuronium	Pavulon	2	A
Metomidate	Hypnodil	2	A	Paraldehyde	Paral	2	A
Mexazolam	Melex	2	A	Paroxetine	Paxil, Seroxat	2	A
Midazolam	Versed	2	A	Penfluridol	Cyperon	2	A
Mirtazepine	Remeron	2	A	Pentobarbital	Nembutal	2	A
Modafinil	Provigil	2	A	Perazine	Taxilan	2	A
Molindone	Moban	2	A	Periciazine	Alodept, etc.	2	A
Moperone	Luvatren	2	A	Perlazine	Hypnodin	2	A
Mosaprimine		2	A	Perphenazine	Trilafon	2	A
Nalbuphine	Nubain	2	A	Phenaglycodol	Acalo, Alcamid, etc.	2	A
Nalorphine	Nalline, Lethidrone	2	A	Phenelzine	Nardelzine, Nardil	2	A
Nefazodone	Serzone	2	A	Phenobarbital	Luminal	2	A
Nimetazepam	Erimin	2	A	Phentermine	Iomamin	2	A
Nitrazepam	Mogadon	2	A	Piminodine	Alvodine, Cimadon	2	A
Nordiazepam	Calmday, Nordaz, etc.	2	A	Pimozide	Orap	2	A
Norepinephrine		2	A	Pinazepam	Domar	2	A

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<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Pipamperone	Dipiperon	2	A	Quetiapine	Seroquel	2	A
Pipequaline		2	A	Racemethorphan		2	A
Piperacetazine	Psymod, Quide	2	A	Racemorphan		2	A
Piperoaine	Metycaine	2	A	Raclopride		2	A
Pipotiazine	Lonseren, Piportil	2	A	Remoxipride	Roxiam	2	A
Pipradrol	Dataril, Gerondyl, etc.	2	A	Reserpine	Serpasil	2	B
Piquindone		2	A	Rilmazafone		2	A
Prazepam	Verstran, Centrax	2	A	Risperidone		2	A
Prilocaine	Citanest	2	A	Ritanserlin		2	A
Prochlorperazine	Darbazine, Compazine	2	A	Rivastigmine	Exelon	2	A
				Rofecoxib	Vioxx	2	B
Propanidid		2	A	Romifidine	Sedivet	2	B
Propiomazine	Largon	2	A	Ropivacaine	Naropin	2	A
Propionylpromazine	Tranvet	2	B	Secobarbital (Quinalbarbitone)	Seconal	2	A
Propiram		2	A	Selegiline	Eldepryl, Jumex	2	A
Propofol	Diprivan, Disoprivan	2	A	Sertraline	Lustral, Zoloft	2	A
Propoxycaïne	Ravocaine	2	A	Snake Venoms		2	A
Prothipendyl	Dominal	2	A	Spiclomazine		2	A
Protriptyline	Concordin, Triptil	2	A	Spiperone		2	A
Proxibarbital	Axeen, Centralgol	2	A	Succinylcholine	Sucostrin, Quelin, etc.	2	A
Pyrithyldione	Hybersulfan, Sonodor	2	A	Sulfondiethylmethane		2	A
Quazipam	Doral	2	A	Sulfonmethane		2	A

Listing by Classification

Class 2: Drugs that have a high potential to affect performance, but less of a potential than Class 1. These drugs are 1) not generally accepted as therapeutic agents in racing horses, or 2) they are therapeutic agents that have a high potential for abuse.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Sulfonidazine	Inofal	2	A	Tribromethanol		2	A
Sulpiride	Aiglonyl, Sulpitil	2	A	Tricaine methanesulfonate	Finquel	2	A
Sultopride	Barnetil	2	A	Trichloroethanol		2	A
Talbutal	Lotusate	2	A	Trichloroethylene	Trilene, Trimar	2	A
Tandospirone		2	A	Triclofos	Triclos	2	A
Temazepam	Restoril	2	A	Trifluomeprazine	Nortran	2	A
Tetrabenazine	Nitoman	2	A	Trifluoperazine	Stelazine	2	A
Tetracaine	Pontocaine	2	B	Trifluoperidol	Triperidol	2	A
Tetrazepam	Musaril, Myolastin	2	A	Triflupromazine	Vetame, Vesprin	2	A
Thebaine		2	A	Trimipramine	Surmontil	2	A
Thialbarbital	Kemithal	2	A	Tubocurarine (Curare)	Metubin	2	A
Thiamylal	Surital	2	A	Tybamate	Benvil, Nospan, etc.	2	A
Thiethylperazine	Torecan	2	A	Urethane		2	A
Thiopental	Pentothal	2	A	Valdecobix		2	B
Thiopropazate	Dartal	2	A	Valnoctamide	Nirvanyl	2	A
Thiopropazine	Majeptil	2	A	Venlafaxine	Efflexor	2	A
Thioridazine	Mellaril	2	A	Veralipride	Accional, Veralipril	2	A
Thiothixene	Navane	2	A	Vercuronium	Norcuron	2	A
Tiapride	Italprid, Luxoben, etc.	2	A	Viloxazine	Catatrol, Vivalan, etc.	2	A
Tiletamine	Component of Telazol	2	A	Vinbarbital	Delvinol	2	A
Timiperone	Tolopelon	2	A	Vinybital	Optanox, Speda	2	A
Tofisopam	Grandaxain, Seriel	2	A	Yohimbine		2	A
Topimate	Topamax	2	A	Zolazepam		2	A
Tramadol	Ultram	2	A	Zolpidem	Ambien, Stilnox	2	A
				Zomepirac	Zomax	2	B
Tranylcypromine	Parnate	2	A	Zopiclone	Imovan	2	A
Trazodone	Desyrel	2	A	Zotepine	Lodopin	2	A
Triazolam	Halcion	2	A	Zuclopenthixol	Ciatyl, Cesordinol	2	A

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
<u>19-Norandrostenediol</u>		<u>3</u>	<u>B</u>	Bumetanide	Bumex	<u>3</u>	<u>B</u>
<u>19-Norandrostenedione</u>		<u>3</u>	<u>B</u>	Butorphanol	Stadol, Torbugesic	<u>3</u>	<u>B</u>
<u>4-Hydroxytestosterone</u>		<u>3</u>	<u>B</u>	Candesartan	Atacand	<u>3</u>	<u>B</u>
Acebutolol	Sectral	<u>3</u>	<u>B</u>	Captopril	Capoten	<u>3</u>	<u>B</u>
Acepromazine	Atrovet, Notensil, PromAce®	<u>3</u>	<u>B</u>	Carazolol	Carbacel, Conducton	<u>3</u>	<u>A</u>
Albuterol (Salbutamol)	Proventil, Ventolin	<u>3</u>	<u>B</u>	Carbachol	Lentin, Doryl	<u>3</u>	<u>B</u>
Alprenolol		<u>3</u>	<u>A</u>	Carbamezapine	Tegretol	<u>3</u>	<u>B</u>
Ambenonium	Mytelase, Myeuran	<u>3</u>	<u>B</u>	Carbinoxamine	Clistin	<u>3</u>	<u>B</u>
Aminophylline	Aminophyllin, etc.	<u>3</u>	<u>B</u>	Carteolol	Cartrol	<u>3</u>	<u>B</u>
Amlodipine	Norvasc	<u>3</u>	<u>A</u>	Carvedilol	Coreg	<u>3</u>	<u>B</u>
				<u>Celecoxib</u>	<u>Celebrex</u>	<u>3</u>	<u>B</u>
				Cimeterol		<u>3</u>	<u>A</u>
Amyl nitrite		<u>3</u>	<u>A</u>	<u>Clausterone</u>	<u>Methosorb</u>	<u>3</u>	<u>B</u>
Arecoline		<u>3</u>	<u>A</u>				
Atenolol	Tenormin	<u>3</u>	<u>B</u>	Clenbuterol	Ventipulmin	<u>3</u>	<u>B</u>
Atropine		<u>3</u>	<u>B</u>	Clonidine	Catapres	<u>3</u>	<u>B</u>
				<u>Clostebol</u>		<u>3</u>	<u>B</u>
Betaxolol	Kerlone	<u>3</u>	<u>B</u>	Cyclandelate	Cyclospasmol	<u>3</u>	<u>A</u>
Bethanidine	Esbatal	<u>3</u>	<u>A</u>	Cycrimine	Pagitane	<u>3</u>	<u>B</u>
				<u>Danazol</u>	<u>Danocrine</u>	<u>3</u>	<u>B</u>
Biperiden	Akineton	<u>3</u>	<u>A</u>	<u>Dehydrochloromethyl - testosterone</u>		<u>3</u>	<u>B</u>
				<u>Deracoxib</u>		<u>3</u>	<u>C</u>
Bisoprolol	Zebeta, Bisobloc, etc.	<u>3</u>	<u>B</u>	<u>Desoxymethyl- testosterone</u>		<u>3</u>	<u>B</u>
Bitolterol	Effectin	<u>3</u>	<u>B</u>	Detomidine	Dormosedan	<u>3</u>	<u>B</u>
<u>Bolasterone</u>		<u>3</u>	<u>B</u>	Dextropropoxyphene	Darvon	<u>3</u>	<u>B</u>
<u>Boldione</u>		<u>3</u>	<u>B</u>	Diazoxide	Proglycem	<u>3</u>	<u>B</u>
				<u>Diffunisal</u>		<u>3</u>	<u>C</u>
Bretylium	Bretylol	<u>3</u>	<u>B</u>	Dimeflin		<u>3</u>	<u>A</u>
Brimonidine	Alphagan	<u>3</u>	<u>B</u>	Diphenhydramine	Benadryl	<u>3</u>	<u>B</u>
Bromfenac	Duract	<u>3</u>	<u>A</u>	Dipyridamole	Persantine	<u>3</u>	<u>B</u>
Bromodiphenhydramine		<u>3</u>	<u>B</u>	Dobutamine	Dobutrex	<u>3</u>	<u>B</u>
<u>Bufexamac</u>		<u>3</u>	<u>B</u>				

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Doxylamine	Decapryn	<u>3</u>	<u>B</u>	Irbesarten	Avapro	<u>3</u>	<u>A</u>
Dyphylline		<u>3</u>	<u>B</u>	Isoetharine	Bronkosol	<u>3</u>	<u>B</u>
Edrophonium	Tensilon	<u>3</u>	<u>B</u>	Isosorbide dinitrate	Isordil	<u>3</u>	<u>B</u>
Enalapril (metabolite enaloprilat)	Vasotec	<u>3</u>	<u>B</u>	<u>Kebuzone</u>		<u>3</u>	<u>B</u>
<u>Ergoloid mesylates</u>		<u>3</u>	<u>C</u>	Ketorolac	Toradol	<u>3</u>	<u>B</u>
Erthrityl tetranitrate	Cardilate	<u>3</u>	<u>A</u>	Labetalol	Normodyne	<u>3</u>	<u>B</u>
Esmolol	Brevibloc	<u>3</u>	<u>B</u>	Losartan	Hyzaar	<u>3</u>	<u>B</u>
<u>Ethylestrenol</u>	<u>Maxibolin, Organon</u>	<u>3</u>	<u>B</u>				
Etamiphylline		<u>3</u>	<u>B</u>	Mabuterol		<u>3</u>	<u>A</u>
Ethacrynic acid	Edecrin	<u>3</u>	<u>B</u>	Mecamylamine	Inversine	<u>3</u>	<u>B</u>
Ethylnorepinephrine	Bronkephrine	<u>3</u>	<u>A</u>	Medetomidine	Domitor	<u>3</u>	<u>B</u>
<u>Etodolac</u>	<u>Lodine</u>	<u>3</u>	<u>C</u>	<u>Mefenamic acid</u>	<u>Ponstel</u>	<u>3</u>	<u>B</u>
<u>Fenbufen</u>	<u>Gincopal</u>	<u>3</u>	<u>B</u>				
Fenoldopam	Corlopam	<u>3</u>	<u>B</u>	<u>Mestanolone</u>		<u>3</u>	<u>B</u>
<u>Fenoprofen</u>	<u>Nalfon</u>	<u>3</u>	<u>B</u>				
Fenoterol	Berotec	<u>3</u>	<u>B</u>	<u>Mesterolone</u>		<u>3</u>	<u>B</u>
Fenspiride	Respiride, Respan, etc	<u>3</u>	<u>B</u>	Metaproterenol	Alupent, Metaprel	<u>3</u>	<u>B</u>
<u>Fentiazac</u>		<u>3</u>	<u>B</u>	<u>Metenolone</u>		<u>3</u>	<u>B</u>
<u>Flufenamic acid</u>		<u>3</u>	<u>B</u>				
<u>Fluoxymesterone</u>	<u>Halotestin</u>	<u>3</u>	<u>B</u>				
Flupirtine	Katadolone	<u>3</u>	<u>A</u>	Methacholine		<u>3</u>	<u>A</u>
<u>Flurbiprofen</u>	<u>Froben</u>	<u>3</u>	<u>B</u>	Methandienone		<u>3</u>	<u>B</u>
<u>Formebolone</u>		<u>3</u>	<u>B</u>	<u>Methandriol</u>	<u>Probolis</u>	<u>3</u>	<u>B</u>
Formoterol	Altram	<u>3</u>	<u>B</u>	<u>Methasterone</u>		<u>3</u>	<u>B</u>
<u>Furazabol</u>		<u>3</u>	<u>B</u>	Methixene	Trest	<u>3</u>	<u>A</u>
Gabapentin	Neurontin	<u>3</u>	<u>B</u>	Methoxamine	Vasoxyl	<u>3</u>	<u>A</u>
<u>Gestrinone</u>		<u>3</u>	<u>B</u>	Methoxyphenamine	Orthoxide	<u>3</u>	<u>A</u>
Glycopyrrolate	Robinul	<u>3</u>	<u>B</u>	<u>Methyl-1-testosterone</u>		<u>3</u>	<u>B</u>
Guanadrel	Hylorel	<u>3</u>	<u>A</u>	Methylatropine		<u>3</u>	<u>B</u>
Guanethidine	Ismelin	<u>3</u>	<u>A</u>	<u>Methyldienolone</u>		<u>3</u>	<u>B</u>
Guanabenz	Wytensin	<u>3</u>	<u>B</u>	Methyldopa	Aldomet	<u>3</u>	<u>A</u>
Heptaminol	Corofundol	<u>3</u>	<u>B</u>	<u>Methylnortestosterone</u>		<u>3</u>	<u>B</u>
Homatropine	Homapin	<u>3</u>	<u>B</u>	<u>Methyltestosterone</u>	<u>Metandren</u>	<u>3</u>	<u>B</u>
Hydralazine	Apresoline	<u>3</u>	<u>B</u>	Metolazone		<u>3</u>	<u>B</u>
<u>Indomethacin</u>	<u>Indocin</u>	<u>3</u>	<u>B</u>	Metoprolol	Lopressor	<u>3</u>	<u>B</u>
Ipratropium		<u>3</u>	<u>B</u>	Mibefradil	Posicor	<u>3</u>	<u>B</u>

(Revised 01/07/08)

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
<u>Mibolerone</u>		<u>3</u>	<u>B</u>	Phenylpropanolamine	Propadrine	<u>3</u>	<u>B</u>
Midodrine	Pro-Amiline	<u>3</u>	<u>B</u>	Physostigmine	Eserine	<u>3</u>	<u>A</u>
Minoxidil	Loniten	<u>3</u>	<u>B</u>	Pindolol	Viskin	<u>3</u>	<u>B</u>
Moexipril (metabolite moexiprilat)	Uniretic	<u>3</u>	<u>B</u>	Pirbuterol	Maxair	<u>3</u>	<u>B</u>
Muscarine		<u>3</u>	<u>A</u>	Piretanide	Arelix, Tauliz	<u>3</u>	<u>B</u>
<u>Nabumetone</u>	<u>Anthraxan, Relafen, Relifex</u>	<u>3</u>	<u>B</u>	<u>Piroxicam</u>	<u>Feldene</u>	<u>3</u>	<u>B</u>
Nadolol	Corgard	<u>3</u>	<u>B</u>	Prazosin	Minipress	<u>3</u>	<u>B</u>
Naratriptan	Amerge	<u>3</u>	<u>B</u>	Primidone	Mysoline	<u>3</u>	<u>B</u>
Nefopam		<u>3</u>	<u>A</u>	Procaine		<u>3</u>	<u>B</u>
Neostigmine	Prostigmine	<u>3</u>	<u>B</u>	Procaterol	Pro Air	<u>3</u>	<u>A</u>
<u>Niflumic acid</u>	<u>Nifluril</u>	<u>3</u>	<u>B</u>				
<u>Nimesulide</u>		<u>3</u>	<u>B</u>				
Nitroglycerin		<u>3</u>	<u>B</u>	Procyclidine	Kemadrin	<u>3</u>	<u>B</u>
<u>Norbolethone</u>		<u>3</u>	<u>B</u>	Promazine	Sparine	<u>3</u>	<u>B</u>
<u>Norclostebol</u>		<u>3</u>	<u>B</u>	Promethazine	Phenergan	<u>3</u>	<u>B</u>
<u>Norethandrolone</u>		<u>3</u>	<u>B</u>	Propentophylline	Karsivan	<u>3</u>	<u>B</u>
<u>Oxabolone</u>		<u>3</u>	<u>B</u>	Propranolol	Inderal	<u>3</u>	<u>B</u>
<u>Oxandrolone</u>	<u>Anavar</u>	<u>3</u>	<u>B</u>				
Oxprenolol	Trasicor	<u>3</u>	<u>B</u>	<u>Prostanazol</u>		<u>3</u>	<u>B</u>
<u>Oxymesterone</u>		<u>3</u>	<u>B</u>	Protokylol	Ventaire	<u>3</u>	<u>A</u>
<u>Oxymetholone</u>	<u>Adroyd, Andarol</u>	<u>3</u>	<u>B</u>				
Papaverine	Pavagen, etc.	<u>3</u>	<u>A</u>	Pseudoephedrine	Cenafed, Novafed	<u>3</u>	<u>B</u>
Paramethadione	Paradione	<u>3</u>	<u>A</u>	Pyridostigmine	Mestinon, Regonol	<u>3</u>	<u>B</u>
Pargyline	Eutonyl	<u>3</u>	<u>A</u>	Pyrilamine	Neoantergan, Equihist	<u>3</u>	<u>B</u>
Penbutolol	Levatol	<u>3</u>	<u>B</u>	<u>Quinbolone</u>		<u>3</u>	<u>B</u>
Pentaerythritol tetranitrate	Duotrate	<u>3</u>	<u>A</u>	Ractopamine	Raylean	<u>3</u>	<u>B</u>
Pentazocine	Talwin	<u>3</u>	<u>B</u>	Ritodrine	Yutopar	<u>3</u>	<u>B</u>
Phenoxybenzamine	Dibenzyliline	<u>3</u>	<u>B</u>	Rizatriptan	Maxalt	<u>3</u>	<u>B</u>
Phentolamine	Regitine	<u>3</u>	<u>B</u>	Salmeterol		<u>3</u>	<u>B</u>
Phenylephrine	Isophrin, Neo-Synephrine	<u>3</u>	<u>B</u>	Scopolamine (Hyoscine)	Triptone	<u>3</u>	<u>B</u>

Listing by Classification

Class 3: Drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Sibutramine	Meridia	3	B
Sotalol	Betapace, Sotacor	3	B
<u>Stenbolone</u>		3	B
<u>Sulindac</u>	<u>Clinoril</u>	3	B
Sumatriptan	Imitrex	3	B
Telmisartin	Micardis	3	B
<u>Tenoxicam</u>	<u>Alganex, etc.</u>	3	B
<u>Tepoxalin</u>		3	C
Terbutaline	Brethine, Bricanyl	3	B
Testolactone	Teslac	3	B
<u>Tetrahydrogestrinone</u>		3	B
Theophylline	Aqualphyllin, etc.	3	B
<u>Tiaprofenic acid</u>	<u>Surgam</u>	3	B
Timolol	Blocadrin	3	B
Tolazoline	Priscoline	3	B
<u>Tolmetin</u>	<u>Tolectin</u>	3	B
Torsemide (Torasemide)	Demadex	3	B
Trandolapril (and metabolite, Trandolaprilat)	Tarka	3	B
<u>Trenbolone</u>	<u>Finoplix</u>	3	B
Trihexylphenidyl	Artane	3	A
Trimethadione	Tridione	3	B
Trimethaphan	Arfonad	3	A
Tripelennamine	PBZ	3	B
<u>Valerenic acid</u>		3	C
Valsartan	Diovan	3	B
Xylazine	Rompun, Bay Va 1470	3	B
Zolmitriptan	Zomig	3	B
<u>Δ-1-androstene-3,17- diol</u>		3	B
<u>Δ-1-androstene-3,17- dione</u>		3	B
<u>Δ-1- dihydrotestosterone</u>		3	B
Zonisamide	Zonegran	3	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Acetaminophen (Paracetamol)	Tylenol, Temptra, etc.	4	C	Baclofen	Lioresal	4	B
Acetanilid		4	B	Beclomethasone	Propaderm	4	C
Acetazolamide	Diamox, Vetamox	4	B	Benazepril	Lotrel	4	B
Acetophenetidin (Phenacetin)		4	B	Bendroflumethiazide	Naturetin	4	B
Acetylsalicylic acid (Aspirin)		4	C	Benoxaprofen		4	B
Alclofenac		4	B	Benoxinate	Dorsacaine	4	C
Aclomethasone	Aclovate	4	C	Benzocaine		4	C
Aldosterone	Aldocortin, Electrocortin	4	B	Benzthiazide		4	B
Ambroxol	Ambril, etc.	4	B	Bepridil	Bepadin	4	B
Amcinonide	Cyclocort	4	C	Betamethasone	Betasone, etc.	4	C
Aminocaproic acid	Amicar, Caprocid	4	C	Bethanechol	Urecholine, Duvoid	4	C
Aminodarone		4	B	Boldenone	Equipoise	4	D
2-Aminoheptaine	Tuamine	4	B	Bromhexine	Oletor, etc.	4	C
Aminopyrine		4	B	Brompheniramine	Dimetane, Disomer	4	B
Amisometradine	Rolictron	4	B	Budesonide	Pulmacort, Rhinocort	4	C
Amlodipine	Norvasc, Ammivin	4	B	Butacaine	Butyn	4	B
Amrinone		4	B	Butamben (butyl aminobenzoate)	Butesin	4	C
Anisotropine	Valpin	4	B	Butoxycaine	Stadacain	4	B
Antipyrine		4	B	Calusterone	Methosorb	4	B
Apazone (Azapropazone)	Rheumox	4	B	Camphor		4	C
Aprindine		4	B	Carisoprodol	Relo, Soma	2	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Carprofen		4	C	Cyproheptadine	Periactin	4	C
Celecoxib	Celebrox	4	B	Danazol	Danocrine	4	B
Chlormerodrin	Neohydrin	4	B	Dantrolene	Dantrium	4	C
Chlorophenesin	Maolate	4	C	Dembroxol (Dembrexine)	Sputolysin	4	C
Chloroquine	Avloclor	4	C	Deoxycorticosterone	Percortin, DOCA, Descotone, Dorcostrin	4	C
Chlorothiazide	Diuril	4	B	Deracoxib²		4	C
Chlorpheniramine	Chlortriemton, etc.	4	B	Desonite	Des Owen	4	C
Chlorthalidone	Hydroton	4	B	Desoximetasone	Topicort	4	C
Chlorzoxazone	Paraflex	4	B	Dexamethasone	Azium, etc.	4	C
Cinchocaine	Nupercaine	4	C	Dextromethorphan		4	C
Clanobutin		4	C				
Clibucaine	Batrax	4	C	Dibucaine	Nupercainal, Cinchocaine	4	C
Clidinium	Quarezan, Clindex, etc.	4	B	Dichlorphenamide	Daramide	4	C
Clobetasol	Temovate	4	C	Diclofenac	Voltaren, Voltarol	4	C
Clocortolone	Cloderm	4	C	Diflorasone	Florone, Maxiflor	4	C
Clofenamide		4	B	Diflucortolone	Flu-Cortinest, etc.	4	C
Clormecaine	Placacid	4	C	Diffunical		4	C
Colchicine		4	B	Digitoxin	Crystodigin	4	B
Cortisone	Cortone, etc.	4	C	Digoxin	Lanoxin	4	B
Cyclizine	Merazine	4	B	Dihydroergotamine		4	C
Cyclobenzaprine	Flexeril	4	B	Diltiazem	Cardizem	4	B
Cyclomethylcaine	Surfacaine	4	C	Dimethisoquin	Quotane	4	B
Cyclothiazide	Anhydron, Renazide	4	B	Diphenoxylate	Difenoxin, Lomotil	4	B

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Dipyrrone	Novin, Methampyrone	4	C	Floctafenine	Idalon, Idarac	4	B
Disopyramide	Norpace	4	B	Flucinolone	Synalar, etc.	4	C
Dromostanolone	Drolban	4	C	Fludrocortisone	Alforone, etc.	4	C
Dyclonine	Dyclone	4	C	Flufenamic acid		4	B
Eltenac		4	C	Flumethasone	Flucort, etc.	4	C
Ergonovine	Ergotrate	4	C	Flumethiazide	Ademol	4	B
Ergotamine	Gynergen, Cafergot, etc.	4	C	Flunarizine	Sibelium	4	B
Etanercept	Enbrel	4	B	Flunisolide	Bronilide, etc.	4	C
Ethoheptazine	Zactane	4	B	Flunixin	Banamine	4	C
Ethosuximide	Zarontin	4	B	Fluocinolone	Synalar	4	C
Ethotoin	Peganone	4	B	Fluocinonide	Licon, Lidex	4	C
Ethoxzolamide	Cardrase, Ethamide	4	C	Fluoroprednisolone	Predef-2X	4	C
Ethylaminobenzoate (Benzocaine)	Semets, etc.	4	C	Fluoxymesterone	Halotestin	4	B
Ethylestrenol	Maxibolin, Organon	4	B	Fluprednisolone	Alphadrol	4	C
Etodolac	Lodine	4	C	Flurandrenolide	Cordran	4	C
Felodipine	Plendil	4	B	Flurbiprofen	Froben	4	B
Fenbufen	Gincopal	4	B	Fluticasone	Flixonase, Flutide	4	C
Fenclozic acid	Myalox	4	B	Guaifenesin (glycerol guaiacolate)	Gecolate	4	C
Fenoprofen	Nalfen	4	B	Halcinonide	Halog	4	C
Fexofenadine	Allegra	4	C	Halobetasol	Ultravate	4	C
Firocoxib		4	C	Hexocyclium	Tral	4	B
Flecainide	Idalon	4	B				

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>		<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Hexylcaine	Cyclaine	4	C		Meloxicam	Mobic	4	C
Hydrochlorothiazide	Hydrodiuril	4	C		Mepenzolate	Cantil	4	B
Hydrocortisone (Cortisol)	Cortef, etc.	4	C		Mephenesin	Tolserol	4	B
Hydroflumethiazide	Saluron	4	B		Meralluride	Mercurhydrin	4	B
Ibuprofen	Motrin, Advil, Nurpin, etc.	4	B or C		Merbaphen	Novasural	4	B
Indomethacin	Indocin	4	B		Mercaptomerin	Thiomerin	4	B
Infliximab	Remicade	4	B		Mercumalilin	Cumertilin	4	B
Isoflupredone	Predef	4	C		Mersalyl	Salyrgan	4	B
Isometheptene	Octin, Octon	4	B		Metaxalone	Skelaxin	4	B
Isopropamide	Darbid	4	B		Methandriol	Probolis	4	B
Isoxicam	Maxicam	4	B		Methandrostenolone	Dianabol	4	C
Isoxsuprine	Vasodilan	4	C		Methantheline	Banthine	4	B
Isradipine	DynaCirc	4	B		Methapyrilene	Histadyl, etc.	4	B
Ketoprofen	Orudis	4	C		Methazolamide	Naptazane	4	C
Letosteine	Viscotiol, Visiotol	4	C		Methdilazine	Tacaryl	4	B
Loperamide	Imodium	4	B		Methocarbamol	Robaxin	4	C
Loratidine	Claritin	4	B		Methotrexate	Folex, Nexate, etc.	4	B
Meclizine	Antivert, Bonine	4	B		Methscopolamine	Pamine	4	B
Meclofenamic acid	Arquel	4	C		Methsuximide	Celontin	4	B
Medrysone	Medriusar, etc.	4	C		Methylchlorothiazide	Enduron	4	B
Mefenamic acid	Ponstel	4	B		Methandrostenolone	Dianabol	4	C

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Methylergonovine	Methergine	<u>4</u>	<u>C</u>	Orphenadrine	Norflex	<u>4</u>	<u>B</u>
Methylprednisolone	Medrol	<u>4</u>	<u>C</u>	<u>Oxandrolone</u>	<u>Anavar</u>	<u>4</u>	<u>B</u>
<u>Methyltestosterone</u>	<u>Metandron</u>	<u>4</u>	<u>B</u>	Oxaprozin	Daypro, Deflam	<u>4</u>	<u>C</u>
Methysergide	Sansert	<u>4</u>	<u>B</u>	Oxymetazoline	Afrin	<u>4</u>	<u>B</u>
Metiamide		<u>4</u>	<u>B</u>	<u>Oxymetholone</u>	<u>Adroyd, Anadrol</u>	<u>4</u>	<u>B</u>
Metoclopramide	Reglan	<u>4</u>	<u>C</u>	Oxyphenbutazone	Tandearil	<u>4</u>	<u>C</u>
Mexilitine	Mexilil	<u>4</u>	<u>B</u>	Oxyphencyclimine	Daricon	<u>4</u>	<u>B</u>
Milrinone		<u>4</u>	<u>B</u>	Oxyphenonium	Antrenyl	<u>4</u>	<u>B</u>
Mometasone	Elocon	<u>4</u>	<u>C</u>	Paramethasone	Haldrone	<u>4</u>	<u>C</u>
Montelukast	Singulair	<u>4</u>	<u>C</u>	Pentoxyfylline	Trental, Vazofirin	<u>4</u>	<u>C</u>
<u>Nabumetone</u>	<u>Anthraxan, Relafen, Reliflex</u>	<u>4</u>	<u>B</u>	Phenacemide	Phenurone	<u>4</u>	<u>B</u>
Naepaine	Amylsine	<u>4</u>	<u>C</u>	Phensuximide	Milontin	<u>4</u>	<u>B</u>
Nandrolone	Nandrolin, Laurabolin, Durabolin	<u>4</u>	<u>D</u>	<u>Phenylbutazone</u>		<u>4</u>	<u>C</u>
Naphazoline	Privine	<u>4</u>	<u>B</u>	Phenytoin	Dilantin	<u>4</u>	<u>B</u>
Naproxen	Equiproxen, Naprosyn	<u>4</u>	<u>C</u>	<u>Piroxicam</u>	<u>Feldone</u>	<u>4</u>	<u>B</u>
Nicardipine	Cardine	<u>4</u>	<u>B</u>	Polythiazide	Renese	<u>4</u>	<u>B</u>
Nifedipine	Procardia	<u>4</u>	<u>B</u>	Pramoxine	Tronothaine	<u>4</u>	<u>C</u>
<u>Niflumic acid</u>	<u>Nifluri</u>	<u>4</u>	<u>B</u>	Prednisolone	Delta-Cortef, etc.	<u>4</u>	<u>C</u>
<u>Nimesulide</u>		<u>4</u>	<u>B</u>	Prednisone	Meticorten, etc.	<u>4</u>	<u>C</u>
Nimodipine	Nemotop	<u>4</u>	<u>B</u>	Probenecid		<u>4</u>	<u>C</u>
Norethandrone		<u>4</u>	<u>C</u>	Procainamide	Pronestyl	<u>4</u>	<u>B</u>
Nortestosterone		<u>4</u>	<u>C</u>				

Listing by Classification

Class 4: This class includes therapeutic medications that would be expected to have less potential to affect performance than those in Class 3.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>	<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
Propafenone	Rythmol	4	B	Tocainide	Tonocard	4	B
Propantheline	Pro-Banthine	4	B	Tolmetin	Tolectin	4	B
Proparacaine	Ophthaine	4	C	Tranexamic acid		4	C
Propylhexedrine	Benzedrex	4	B	Trenbolone	Finoplix	4	B
Quinidine	Quinidex, Quinocardine	4	B	Triamcinolone	Vetalog, etc.	4	C
Rofecoxib	Vioxx	4	B	Triamterene	Dyrenium	4	B
Salicylamide		4	C	Trichlormethiazide	Naqua, Naquasone	4	C
Salicylate		4	C	Tolmetin	Tolectin	4	B
Spirolactone	Aldactone	4	B	Tridihexethyl	Pathilon	4	B
Stanozolol	Winstrol-V	4	D	Trimeprazine	Temaril	4	B
Sulfasalazine	Azulfidine, Azaline	4	C	Tripolidine	Actidil	4	B
Sulindac	Clinoril	4	B	Tuaminoheptane	Tuamine	4	C
Tenoxicam	Alganex, etc.	4	B	Vedaprofen		4	C
Terfenadine	Seldane, Triludan	4	B	Verapamil	Calan, Isoptin	4	B
Testosterone		4	D	Xylometazoline	Otrivin	4	B
Tetrahydrozoline	Tyzine	4	B	Zafirlukast	Accolate	4	C
Theobromine		4	C	Zeranol	Ralgro	4	C
Thiosalicylate		4	C	Zileuton	Zyflo	4	C
Thiphenamil	Trocinate	4	B	Zomepirac	Zemax	4	B
Tiaprofenic acid	Surgam	4	B				

Listing by Classification

Class 5: This class includes ~~the following those~~ therapeutic medications for which concentration limits have been established by the racing jurisdictions as well as certain miscellaneous agents such as DMSO and other medications as described by the regulatory bodies.

<u>Drug</u>	<u>Trade Name</u>	<u>RCI Drug Class</u>	<u>Penalty Class</u>
<u>Anisindione</u>		<u>5</u>	<u>D</u>
<u>Cilostazol</u>	<u>Pletal</u>	<u>5</u>	<u>D</u>
<u>Cimetidine</u>	<u>Tagamet</u>	<u>5</u>	<u>D</u>
<u>Cromolyn</u>	<u>Intel</u>	<u>5</u>	<u>D</u>
<u>Dicumarol</u>	<u>Dicumarol</u>	<u>5</u>	<u>D</u>
<u>Dimethylsulfoxide (DMSO)</u>	<u>Domoso</u>	<u>5</u>	<u>D</u>
<u>Dimethylsulphone (MSM)</u>		<u>5</u>	<u>D</u>
<u>Diphenadione</u>		<u>5</u>	<u>D</u>
<u>Famotidine</u>	<u>Gaster, etc.</u>	<u>5</u>	<u>D</u>
<u>Lansoprazole</u>		<u>5</u>	<u>D</u>
<u>Misoprostel</u>	<u>Cytotec</u>	<u>5</u>	<u>D</u>
<u>Nedocromil</u>	<u>Tilade</u>	<u>5</u>	<u>D</u>
<u>Nizatidine</u>	<u>Axid</u>	<u>5</u>	<u>D</u>
<u>Omeprazole</u>	<u>Prilosec, Losec</u>	<u>5</u>	<u>D</u>
<u>Phenindione</u>	<u>Hedulin</u>	<u>5</u>	<u>D</u>
<u>Phenprocoumon</u>	<u>Liquamar</u>	<u>5</u>	<u>D</u>
<u>Pirenzapine</u>	<u>Gastrozepin</u>	<u>5</u>	<u>D</u>
<u>Ranitidine</u>	<u>Zantac</u>	<u>5</u>	<u>D</u>
<u>Warfarin</u>	<u>Coumadin, Coufarin</u>	<u>5</u>	<u>D</u>

CALIFORNIA HORSE RACING BOARD
TITLE 4, CALIFORNIA CODE OF REGULATIONS
ARTICLE 15, VETERINARY PRACTICES
PROPOSED ADDITION OF
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

Regular Board Meeting
March 27, 2008

Single Underlined and ~~Single Strikethrough~~ text represent the original language adopted at the April 19, 2007 Regulatory Hearing.

Deletions to the adopted text appear as ~~Double Strikethrough~~ and new and revised text appears as *Italicized Double Underlined* as noticed August 27, 2007 through September 12, 2007 and adopted at the September 27, 2007, Regulatory Hearing.

Deletions to the adopted text appear as ~~Bolded Double Strikethrough~~ and new and revised text appears as ***Bolded Italicized Double Underlined*** as noticed January 29, 2008 through February 13, 2008.

Deletions to the adopted text appear as ~~Bold Italicized Double Strikethrough~~ and new and revised text appears as ***Bold Double Underlined*** as noticed February 15, 2008, through March 2, 2008.

1843.3. Penalties for Medication Violations.

(a) In reaching a decision on a penalty for a violation of Business and Professions ~~(B&P)~~ Code ~~S~~ section 19581, the Board, the board of stewards, ~~or~~ the hearing officer *or the administrative law judge* shall consider the penalties set forth in ~~S~~subsections (e) and (f) of this Rule ~~including~~ *and any* aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors, ~~which may~~ *increase* the penalties beyond the minimum.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

(1) The past record of the licensee ~~in drug cases~~ *regarding violations of Business and Professions Code section 19581:*

(2) The potential of the drug(s) to influence a horse's racing performance;

(3) The legal availability of the drug;

(4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;

(5) The steps taken by the trainer to safeguard the horse;

(6) The steps taken by an owner to safeguard against subsequent *medication* violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) For the purpose of this regulation "unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found *to be present in the official test sample* was one for which the horse was receiving treatment as determined by a *California Horse Racing Board Confidential* Veterinarian Report ~~Form~~ *CHRB-24* as described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

~~(c) For purposes of this regulation, the Board shall, upon determination that an official pre or post race test sample from a horse participating in any race contained any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in this article, consider the classification of the drug substances as referred to in Rule~~

~~1843.2 of this division and the California Horse Racing Board's (CHRB) Penalty Categories Listing by Classification, (1/07) hereby incorporated by reference.~~

~~(c) For the purposes of this regulation, the Board shall consider the classification of a drug substance as~~ referred ~~referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing By Classification, (1/07 1/08), which is hereby incorporated by reference, if a determination is made that an official~~ pre or post race ~~test sample from a horse that participated in any race contained:~~

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

~~(d) If a penalty is administered, it shall be greater than the last penalty administered to the licensee for a violation concerning the same class of drug substance pursuant to B& P Code Section 19582(a)(4).~~

(e d) Penalties for violation of each classification level are as follows:

CATEGORY "A" PENALTIES

Penalties for violations due to the presence of a drug substance in an official ~~pre- or post-race test~~ sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

<u>LICENSED TRAINER:</u>		
<u>1st offense</u> <ul style="list-style-type: none"> Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two). <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> May be referred to the Board for any further action deemed necessary by the Board. 	<u>2nd LIFETIME offense</u> <ul style="list-style-type: none"> Minimum three two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a license revocation with no reapplication for a three-year suspension period. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 \$100,000 \$50,000 or 50% of purse (greater of the two). <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> May be referred to the Board for any further action deemed necessary by the Board. 	<u>3rd LIFETIME offense</u> <ul style="list-style-type: none"> Minimum three -year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$50,000 \$100,000 or 100% of purse (greater of the two). <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> May be referred to the Board for any further action deemed necessary by the Board.
<u>LICENSED OWNER:</u>		
<u>1st offense</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<u>2nd LIFETIME offense in owner's stable</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<u>3rd LIFETIME offense in owner's stable</u> <ul style="list-style-type: none"> Disqualification of horse, loss of purse and absent mitigating circumstances, minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. <p style="text-align: center;"><u>AND</u></p> <ul style="list-style-type: none"> Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.

CATEGORY "B" PENALTIES

Penalties for violations due to the presence of a drug substance in an official ~~pre or post race test~~ sample, which CHRB drug classification is categorized as warranting a Category B penalty are as follows:

<u>LICENSED TRAINER:</u>		
<u>1st offense</u>	<u>2nd offense (365-day period)</u>	<u>3rd offense (365-day period)</u>
<ul style="list-style-type: none"> ◦ <u>Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension.</u> <u>AND/OR</u> ◦ <u>Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension.</u> <u>AND/OR</u> ◦ <u>Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$20,000.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension.</u> <u>AND/OR</u> ◦ <u>Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 10% of purse (greater of the two).</u> <u>AND</u> ◦ <u>May be referred to the Board for any further action deemed necessary by the Board.</u>
<u>LICENSED OWNER:</u>		
<u>1st offense</u>	<u>2nd offense in stable (365-day period)</u>	<u>3rd offense in stable (365-day period)</u>
<ul style="list-style-type: none"> ◦ <u>Disqualification of horse and loss of purse in the absence of mitigating circumstances.</u> <u>AND</u> ◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <u>AND</u> ◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification of horse and loss of purse in the absence of mitigating circumstances.</u> <u>AND</u> ◦ <u>Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <u>AND</u> ◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u> 	<ul style="list-style-type: none"> ◦ <u>Disqualification of horse, loss of purse and absent mitigating circumstances minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum <u>fine</u> of \$20,000.</u> <u>AND</u> ◦ <u>Horse shall be placed on the veterinarian's list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered.</u> <u>AND</u> ◦ <u>Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1.</u>

CATEGORY "B" PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO₂) TESTING

Penalties for violations due to exceeding permitted levels of TCO₂ as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

<u>LICENSED TRAINER:</u>		
<u>1st offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$1500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$5,000. 	<u>2nd offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60 120-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<u>3rd offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$5000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.
<u>LICENSED OWNER:</u>		
<u>1st offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<u>2nd offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<u>3rd offense Total TCO₂ ($\geq \geq$ 37.0mmol/l-<39mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse, loss of purse and <i>in the absence of mitigating circumstances</i>, \$2,500 fine <i>in the absence of mitigating circumstances</i>.
<u>LICENSED TRAINER:</u>		
<u>1st offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<u>2nd offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000. 	<u>3rd offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension. <p style="text-align: center;"><u>AND/OR</u></p> <ul style="list-style-type: none"> Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000.
<u>LICENSED OWNER:</u>		
<u>1st offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<u>2nd offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse and loss of purse. 	<u>3rd offense Total CO₂ (\geq 39.0mmol/l)</u> <ul style="list-style-type: none"> Disqualification of horse, loss of purse and a fine ranging from a minimum of \$5,000, up to a maximum of \$20,000.

CATEGORY "C" PENALTIES

Penalties for violations due to the presence of a drug substance in an official ~~pre or post race test~~ sample, which CHRB drug classification is categorized as warranting a Category C penalty and for the presence of more than one non-steroidal anti-inflammatory (NSAID) in a plasma/serum sample, as defined in Rule 1844 of this division, and furosemide as defined in Rule 1845 of this division in an official ~~pre or post race test~~ samples are as set forth below. All concentrations are for measurements in serum or plasma.

<u>LICENSED TRAINER:</u>		
<u>1st offense</u>	<u>2nd offense (365-day period)</u>	<u>3rd offense (365-day period)</u>
<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$500 to a maximum fine of \$1,000 absent mitigating circumstances.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$1,000 to a maximum fine of \$2,500, and up to a 15 - day suspension absent mitigating circumstances.</u> 	<ul style="list-style-type: none"> ◦ <u>Minimum fine of \$2,500 and up to a 30 - day suspension absent mitigating circumstances</u>

CATEGORY "C" PENALTIES FOR RULE 1844, AUTHORIZED MEDICATION (C) (1), (2), (3)

Penalties for violations due to overages for permitted non-steroidal anti-inflammatory drug substances (NSAIDs) as defined in Rule 1844 (c) (1), (2), ~~and (3) of this division~~. All concentrations are for measurements in serum or plasma.

The official veterinarian shall consult with the treating veterinarian in all violations of 1844 (c). ~~After consultation with and~~ With permission of the official veterinarian the trainer may elect to pay the minimum fine in lieu of a steward's hearing. If the trainer has not had an 1844 (c) violation within the previous three years, the official veterinarian or the board of stewards may issue a warning in lieu of a fine for violations of 1844 (c)(1), phenylbutazone, provided the reported level is below 7.5mcg/ml.

<u>LICENSED TRAINER:</u>	<u>Phenylbutazone (5.1-<10.0mcg/ml)</u> <u>Flunixin (50-100 ng/ml)</u> <u>Ketoprofen (11-49 ng/ml)</u>	<u>Phenylbutazone (5.1-<10.0mcg/ml)</u> <u>Flunixin (50-100 ng/ml)</u> <u>Ketoprofen (11-49 ng/ml)</u>
<u>1st offense</u> ◦ Minimum fine of \$500 to a maximum fine of \$1,000.	<u>2nd offense (365-day period)</u> ◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	<u>3rd offense (365-day period)</u> ◦ Minimum fine of \$2,500 to a maximum fine of \$5,000. The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.
<u>LICENSED OWNER:</u>	<u>Phenylbutazone (5.1-<10.0mcg/ml)</u> <u>Flunixin (50-100 ng/ml)</u> <u>Ketoprofen (11-49 ng/ml)</u>	<u>Phenylbutazone (5.1-<10.0mcg/ml)</u> <u>Flunixin (50-100 ng/ml)</u> <u>Ketoprofen (11-49 ng/ml)</u>
<u>1st offense</u> No penalty administered.	<u>2nd offense (365-day period)</u> No penalty administered.	<u>3rd offense (365-day period)</u> No penalty administered.
<u>LICENSED TRAINER:</u>	<u>Phenylbutazone (≥ 10.0 mcg/ml)</u> <u>Flunixin (≥ 100 ng/ml)</u> <u>Ketoprofen (≥ 50 ng/ml)</u>	<u>Phenylbutazone (≥ 10.0 mcg/ml)</u> <u>Flunixin (≥ 100 ng/ml)</u> <u>Ketoprofen (≥ 50 ng/ml)</u>
<u>1st offense</u> ◦ Minimum fine of \$1,000 to a maximum fine of \$2,500.	<u>2nd offense (365-day period)</u> ◦ Minimum fine of \$2,500 to a maximum fine of \$5,000. The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 30 days.	<u>3rd offense (365-day period)</u> ◦ Minimum fine of \$5,000 to a maximum fine of \$10,000. The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 60 days.
<u>LICENSED OWNER:</u>	<u>Phenylbutazone (≥ 10.0 mcg/ml)</u> <u>Flunixin (≥ 100 ng/ml)</u> <u>Ketoprofen (≥ 50 ng/ml)</u>	<u>Phenylbutazone (≥ 10.0 mcg/ml)</u> <u>Flunixin (≥ 100 ng/ml)</u> <u>Ketoprofen (≥ 50 ng/ml)</u>
<u>1st offense</u> ◦ Horse must pass Board-approved examination pursuant to Rule 1846 before being eligible to run.	<u>2nd offense (365-day period)</u> ◦ Disqualification of horse and <u>loss of purse.</u> If same horse, placed on veterinarian's list for up to 45-days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. The official veterinarian shall withdraw permission for the trainer to use any NSAID for a period of up to 60 days.	<u>3rd offense (365-day period)</u> ◦ Disqualification of horse and <u>loss of purse.</u> Minimum \$5,000 fine. If same horse, placed on veterinarian's list for 60 days, must pass Board-approved examination pursuant to Rule 1846 before being eligible to run. The official veterinarian may withdraw permission for the trainer to use any NSAID for a period of up to 120 days.

~~(f-g) Penalties for~~ Violations due to the presence of a drug substance in an official pre- or post-race test sample, which CHRB drug classification is categorized as warranting a Category "D" penalty, may result in a written warning to the licensed trainer and owner. *A Category "D" penalty is a written warning to the licensed trainer or owner.*

~~(g-f)~~ Any drug or its metabolite or analogue thereof found to be present in an official ~~pre- or post-race test~~ sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

~~(h-g)~~ The administration of a drug substance to a race horse must be documented by the treating veterinarian through the filing of a California Horse Racing Board Confidential Veterinarian Report Confidential CHRB -24 form as described in Rule 1842 of this division.

~~(i-h)~~ Any ~~licensed veterinarian, owner or other~~ licensee found to be responsible for the administration of any drug substance resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case. ~~For purposes of this regulation owner means the individual owner (s) or entity that owns the horse from which the official pre- or post-race test sample was taken. Any penalty for a violation will be imposed upon the entity owning the horse.~~

(1) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "A" shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action ~~and not be allowed to practice at any California racetrack, indefinitely.~~

(2) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "B" or "C" may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, the board of stewards or hearing officers.

~~(j) Any licensee found to be in violation of state criminal statutes may be referred to the appropriate law enforcement agency.~~

~~(k i) A licensed trainer licensee~~ who is suspended, ~~or whose license is revoked,~~ because of a medication violation is not able to benefit financially during the period of suspension or revocation ~~for which the individual has been suspended.~~ This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

~~(l j) For the purpose of this regulation "licensed family members" means any person who holds an occupational licenses issued by the CHRB and who is related to the suspended licensee trainer, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee trainer.~~

(l) For the purposes of this regulation section, licensed trainers suspended 60 days or more, or whose license is revoked, shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension, or revocation, ~~such the suspended~~ trainer shall forfeit all assigned stall space ~~assigned them~~ and shall remove from the inclosures all signage, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461, and 19580 19581 & 19582,
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 & and 19582,
Business and Professions Code.

Section 11425.50,
Government Code.

STAFF ANALYSIS
PROPOSED AMENDMENT OF
RULE 1849. NERVING
AND
PROPOSED REPEAL OF
RULE 1851. LIST OF NERVED HORSES
RULE 1850, POSTERIOR DIGITAL NEURECTOMY

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19580 states the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. Rule 1849, Nerving, states nerved horses may not be brought on the grounds of a racing association, nor entered in a race, or sold or offered for sale, except as provided under Article 15. Rule 1850, Posterior Digital Neurectomy, allows a horse that has been nerved or heel nerved to race provided the official veterinarian is satisfied the loss of sensation to the horse due to the posterior digital neurectomy will not endanger the safety of any horse or rider. Rule 1851, List of Nerved Horses, requires the racing secretary to maintain a list of nerved horses that are on the grounds of the association, and to make the list available for inspection by licensees participating in the meeting.

Heel nerving was discussed at the March 2007 Medication Committee meeting. The Medication Committee determined it would recommend the amendment of Rule 1849 and the repeal of Rule 1850 and Rule 1851. At the March 2007 Regular Board Meeting staff was directed to initiate a 45-day public comment period regarding the proposed amendment of Rule 1849 and the repeal of Rule 1850 and Rule 1851. A hearing for the adoption of the proposal to amend Rule 1849 and repeal Rule 1850 and Rule 1851 was held at the July 2007 Regular Board Meeting. No action was taken, as the Board determined there needed to be more industry comment regarding the issue. The Board's Equine Medical Director offered to talk about heel nerving with the jockey colony and Thoroughbred Owners of California. The issue was again heard for adoption at the February 2008 Regular Board Meeting. After discussion a motion was made not to amend Rule 1849, or repeal Rule 1850 or Rule 1851. The vote was three "yes" and two "no;" however, the motion failed because fewer than four members of the Board concurred with the action as required by Business and Professions Code section 19431. The item was continued until the March 2008 Regular Board Meeting for comment by the absent commissioners and for vote only.

ANALYSIS

The proposed amendment of Rule 1849 would ban “nerved” horses from the grounds of the racing association; from entry in a race; or from being sold or offered for sale on the grounds of a facility under the jurisdiction of the Board. It would also render Rules 1850 and 1851 superfluous and necessitate their repeal. A posterior digital neurectomy, commonly known as “nerving” or “heel nerving,” is a procedure where the posterior digital nerves of a horse’s hoof are transected with a scalpel, laser or other means to desensitize the posterior portion of the foot. In racehorses the procedure is primarily used for wing fractures of the coffin bone, navicular disease and other chronic conditions of the foot. A horse that has undergone a posterior digital neurectomy can feel its foot; it just cannot feel the heel of its foot. If the horse puts pressure on its foot it can feel where it is, or where it is running, and so it does not cause the horse to lose stability. However, the procedure is not common among California racehorses due to improved diagnostics, medications and therapeutic shoeing. In the spring of 2007, an informal survey of the Santa Anita race meeting revealed only two horses on the list of nerved horses (This list is a requirement of Rule 1851). At the March 2007 Regular Board meeting the Board determined that because the therapeutic value of posterior digital neurectomy is not vital to horse racing, and so few horses currently racing have undergone the procedure, heel nerved horses should no longer be allowed to run in California.

A survey of several racing jurisdictions revealed that out of seven racing states, only Arizona prohibited nerved horses from running. States that allow nerved horses to run include: New York; Illinois; Indiana; Ohio; Kentucky and Texas.

During the 45-day public comment period staff received comment from Dr. Rick Arthur, CHRB Equine Medical Director. Dr. Arthur stated he was opposed to the proposed amendment of Rule 1849, and the repeal of Rule 1850 and Rule 1851. He said there was no veterinary medical or safety justification for the proposed action. Dr. Arthur also expressed concern with the ability to regulate a prohibition of nerved horses, as rules without enforcement schemes were nonsensical. Dr. Arthur commented that the principle behind Rule 1850 and Rule 1851 was full disclosure. Allowing nerved horses to run with the consent of the official veterinarian removes the incentive for owners and trainers to hide the true condition of a horse.

Dr. Dennis Meagher, professor emeritus of equine surgery at University of California Davis, and former CHRB Equine Medical Director, has also stated his opposition to the proposed regulatory action.

After the February 2008 regulatory hearing Dr. Arthur submitted information regarding the proposed amendment to Rule 1849 and the repeal of Rule 1850 and Rule 1851. He provided a copy of an Australian Rule of Racing regarding posterior digital neurectomy, and suggested the Board consider a similar rule that would grandfather in those horses having undergone the procedure. The rule would also use a forward date that would eliminate the possibility of

eliminating a horse from the 2008 and 2009 Breeders' Cup, and provide the Board with the opportunity to develop a national consensus for a uniform rule. The materials provided by Dr. Arthur are attached.

RECOMMENDATION

There has been no additional comment regarding the proposal to amend Rule 1849 and repeal Rule 1850 and Rule 1851. This item is presented for discussion and action by the Board.

From: Rick M. Arthur, DVM
Equine Medical Director

Re: Amendments to Rules 1849, 1850 and 1851

A posterior digital neurectomy is an accepted surgical technique to address specific conditions of chronic heel pain caused by a number of pathological conditions. There is no objective information to indicate the procedure is a risk to horse or rider. I oppose the proposed amendments to CHRB Rules 1849, 1850 and 1851 as unwarranted, unenforceable and unnecessary. Evidence indicates the procedure is only occasionally used in specific cases after all alternative veterinary medical options are exhausted. Notwithstanding my general opposition to the proposed amendments, there are administrative problems that need to be addressed and can be addressed by an alternative approach. A number of horses have undergone a posterior digital neurectomy in accordance to current rules. A posterior digital neurectomy can no more be reversed than a castration if the board decided next to prohibit geldings from racing. A broader problem is a state, especially a major racing state, taking unilateral action on such an issue without a national consensus flying in the face of years of effort to develop uniform racing regulations across the country. This is complicated by the fact California will host the Breeder's Cup in both 2008 and 2009. Brave Act, a California based horse, ran in the 1999 Breeder's Cup after a posterior digital neurectomy in one hind foot for a specific shipping injury. We do not know whether potential competitors would be eliminated from the 2008 or 2009 Breeder's Cup races.

Commissioner Amerman requested the Equine Medical Director investigate international rules on posterior digital neurectomy. Australia provides a useful example as to how to move forward to implement no longer allow a horse with a posterior digital neurectomy to race. Australia allowed posterior digital neurectomized horses to race up until the late 90's. The Australian Rule of Racing AR.64B:(3) relative to posterior digital neurectomy is as follows:

AR.64B:(3)

Notwithstanding the provisions of subrule (1) of this rule, a horse that had a palmar digital neurectomy prior to 1st September 1999 is eligible to race provided that prior to 1st September 1999 the details of the surgery undergone have been endorsed on the Document of Description for the horse, and the Stewards have received and accepted from a qualified veterinarian a written certificate of fitness of the horse to race.

(Palmar digital neurectomy is synonymous with posterior digital neurectomy.)

The entire AR.64B is attached and combines our Rules 1849, 1850 and 1851. The time specific approach effectively grandfathers in those horses having undergone a posterior

digital neurectomy under the CHRB's current rules. Using a forward date and adding the birth date will eliminate any possibility of eliminating a horse from the 2008 or 2009 Breeder's Cup and provides the CHRB an opportunity to develop a national consensus for a uniform rule. The following proposal solves these issues:

1850 Posterior Digital Neurectomy

Notwithstanding the prohibition against "nerving", a horse upon which a posterior digital neurectomy has been performed, commonly known as "heel nerving" is not ineligible to race, not subject to the prohibitions in this article pertaining to nerving, provided that the official veterinarian is satisfied that the loss of sensation to such horse due to the posterior digital neurectomy will not endanger the safety of any horse or rider, that the prior approval of the official veterinarian has been obtained if the horse is on the grounds of a racing association, that the racing secretary is notified of such nerving at the time such horse is admitted to the grounds of a racing association, that the horse was foaled prior to January 1, 2008, that the posterior digital neurectomy was performed prior to January 1, 2010 and its registration or eligibility certificate marked to indicate such nerving.

Australian Rule of Racing AR.64B:

- (1) A horse that has had a limb neurectomy or any artificial form of permanent limb desensitisation is ineligible to race.
- (2) A horse that has had any artificial form of temporary limb desensitisation is ineligible to race for such time as the Stewards may specify.
- (3) **Notwithstanding the provisions of subrule (1) of this rule, a horse that had a palmar digital neurectomy prior to 1st September 1999 is eligible to race provided that prior to 1st September 1999 the details of the surgery undergone have been endorsed on the Document of Description for the horse, and the Stewards have received and accepted from a qualified veterinarian a written certificate of fitness of the horse to race.**
- (4) In the event of a horse undergoing neurectomy surgery or any Artificial form of permanent limb desensitization the owner of the horse or his Agent shall as soon as practicable notify the details to the Stewards, who

Shall then ensure that:

- (a) details of the surgery or artificial desensitisation and the horse's ineligibility to race are recorded in the National Stewards Embargo Register; and,
- (b) if applicable, the Document of Description for the horse is endorsed with details of the surgery or artificial desensitisation and the horse's ineligibility to race.

Reference: Section 19580,
Business and Profession Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED REPEAL OF
RULE 1850. POSTERIOR DIGITAL NEURECTOMY

Regular Board Meeting
March 27, 2008

~~1850. Posterior Digital Neurectomy.~~

~~Notwithstanding the prohibition against "nerving", a horse upon which a posterior digital neurectomy has been performed, commonly known as "heel nerving" is not ineligible to race, not subject to the prohibitions in this article pertaining to nerving, provided that the official veterinarian is satisfied that the loss of sensation to such horse due to the posterior digital neurectomy will not endanger the safety of any horse or rider, that the prior approval of the official veterinarian has been obtained if the horse is on the grounds of a racing association, that the racing secretary is notified of such nerving at the time such horse is admitted to the grounds of a racing association and its registration or eligibility certificate marked to indicate such nerving.~~

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED REPEAL OF
RULE 1851. LIST OF NERVED HORSES

Regular Board Meeting
March 27, 2008

~~1851. List of Nerved Horses.~~

~~The racing secretary shall maintain a list of nerved horses which are on the grounds and shall make such list available for inspection by other licensees participating in the meeting.~~

STAFF ANALYSIS
DISCUSSION REGARDING
RULE 1606, COUPLING OF HORSES

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19420 provides that the Board shall have jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code section 19562 provides the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in this State. Business and Professions Code section 19703 states the Board shall adopt rules governing, permitting and regulating mule racing and wagering on the races under the pari-mutuel system.

Board Rule 1606, Coupling of Horses, currently provides that two or more horses shall be coupled as a single wagering interest and as an entry when the same person or persons own such horses in whole or in part.

Various proposals to either amend or repeal CHRB Rule 1606 (Coupling of Horses) were discussed during several meetings of the Pari-Mutuel/ADW and Simulcast Committee (committee) in 2005 and 2006. Ultimately, the committee recommended repealing the rule, and the full Board agreed to put out for 45-day public comment the proposed repeal of Rule 1606. At the June 2006 Regular Board Meeting, representatives of the various racing associations spoke in favor of repealing the rule, discounting speculation that the uncoupling of same-owner entries might compromise the integrity of racing. They predicted that uncoupling horses would result in larger fields with more wagering interests and would make racing programs more interesting, while also eliminating unintended consequences when one part of an entry is a late scratch.

The Board opted to temporarily waive Rule 1606 to allow for an uncoupling experiment at Bay Meadows, Hollywood Park, and Los Alamitos. The results of this experiment were discussed during the August 2006 Regular Board Meeting, at which representatives of the Thoroughbred Owners of California (TOC) and California Thoroughbred Trainers (CTT) and others argued against repealing the rule, based

largely on the integrity issue. Representatives of racetracks continued to support repealing the rule. After a thorough discussion, the Board voted against uncoupling horses with common ownership, though in subsequent actions the Board exempted quarter-horse races from the coupling requirement.

The Board reconsidered the coupling issue at its January 2008 Regular Meeting. Vice-Chairman Harris spoke in favor of amending the rule to allow for the uncoupling of horses in thoroughbred races when the ownership of horses is not an exact match. One owner could have partial interest in two horses, but the horses would not be coupled if there were different partners involved in each horse, provided the horses had different trainers. During this discussion, TOC President Drew Couto announced that the TOC board now supported the uncoupling of horses with common ownership. Jack Liebau, president of Bay Meadows and Hollywood Park, continued to endorse repealing the rule, indicating the uncoupling experiment in 2006 resulted in larger fields without any adverse consequences. Ron Charles, representing Santa Anita Park and Golden Gate Fields, said there was considerable fan opposition to repealing the rule, as it would allow horses with the same owner and trainer to race uncoupled.

The Board referred the issue to the Pari-Mutuel/ADW and Simulcast Committee (committee) to reconsider in its entirety. At its February 2008 Regular Meeting the Board heard the committee's recommendations regarding coupling. The committee recommended the Board waive (under Rule 1406, Suspension of Rule) the coupling requirements of Rule 1606 for the 2008/2009 Breeders' Cup races, and for all non-overnight stakes races. In addition, the committee endorsed a proposed amendment to Rule 1606 that would allow the uncoupling of thoroughbred horses owned by different partnerships whose composition are not mirror images, but there was at least one partner with ownership interest in each partnership, and a different trainer trained each horse. Staff was directed to develop a text for the proposed amendment to Rule 1606 for Board consideration.

RECOMMENDATION

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
RULE 1606. COUPLING OF HORSES

Regular Board Meeting
March 27, 2008

1606. Coupling of Horses.

(a) Two or more horses shall be coupled as a single wagering interest and as an entry when such horses are owned in whole or in part by the same person or persons.

~~(b) Quarter horse races are exempt from subsection (a) of this regulation.~~

(b) Subsection (a) of this regulation does not apply when two or more thoroughbred horses, each owned by different partnerships whose composition are not mirror images, are entered in the same race, and

(1) There is at least one partner who has an ownership interest in each of the partnerships, and

(2) Each horse is trained by a different trainer.

(c) Quarter horse races are exempt from subsection (a) of this regulation.

Authority: Sections 19420, 19440 and 19590,
Business and Professions Code.

Reference: Section 19401,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD

MARCH 27, 2008
REGULAR BOARD MEETING

There is no board package material for item 10

CALIFORNIA HORSE RACING BOARD

MARCH 27, 2008
REGULAR BOARD MEETING

There is no board package material for Item 11

STAFF ANALYSIS
DISCUSSION REGARDING
MINIMUM NET WORTH STANDARDS
FOR RACING ASSOCIATIONS
SUBMITTING AN APPLICATION FOR LICENSE
TO CONDUCT A HORSE RACING MEETING
AT BOTH PUBLIC AND
PRIVATE RACE TRACKS

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing pari-mutuel wagering. Business and Professions Code section 19562 provides that the Board may prescribe rules, regulations, and conditions under which all horse races with wagering on their results shall be conducted in this State.

Business and Professions Code section 19464 specifies no application for license to conduct a horse racing meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of \$100,000, or a greater amount, as determined by the Board, which is sufficient to ensure payment of employees wages and benefits including, but not limited to, health, welfare and pension plans. Racing associations licensed to operate a horse race meeting prior to January 1, 2001, that have conducted a race meeting in each of the immediate three previous consecutive calendar years are exempt from this requirement.

Business and Professions Code section 19490 states each application for a license to conduct a horse racing meeting shall be accompanied by a deposit to secure the payment of any license fee imposed by this article, in the form of a certified check payable to the Treasurer of the State of California, in the amount of \$10,000.

ANALYSIS

With the recent financial difficulties experienced by a California licensed racing association, the feasibility of developing minimum net worth standards for racing associations submitting an application to conduct a horse racing meeting has been raised. Currently a minimum net worth requirement is not required for applicants submitting an application.

Board Rule 1433, Application for License to Conduct a Horse Racing Meeting, requires applicants submitting an application to conduct a horse racing meeting to provide a copy of their most recent audited financial statements and a \$10,000 deposit with the completed application. The required deposit is to secure payment of any required license fee.

The surety bond required under Business and Professions Code section 19464 is to ensure payment of the racing association's employees' wages and benefits. However, a racing association licensed to operate a horse race meeting prior to January 1, 2001, that has conducted a race meeting in each of the immediate three previous consecutive calendar years is exempt from this requirement. The Board currently holds financial guarantee bonds or letters of credit from Hollywood Park, Sacramento Harness Association and Capitol Racing Association.

Whether racing fairs can be required to provide evidence of a minimum net worth is questionable. Racing fairs currently submit a \$10,000 deposit with their applications for license to conduct a horse racing meeting, but they are not required to provide audited financial statements. Additionally, the exemption to the \$100,000 surety bond under Business and Professions Code section 19464 would seem to include the racing fairs.

Financial deposits to ensure payment to horsemen and/or vendors in the event of financial difficulties experienced by a racing association are currently not required. Furthermore, under Business and Professions Code section 19464 the financial guarantee bonds or letters of credit currently held by the Board could not be used to discharge any financial obligations to horsemen or vendors.

Illinois, Kentucky, Maryland, New York, Ohio and Texas were surveyed to determine if other racing jurisdictions require a minimum net worth as a condition for licensure. Of the six, Ohio is the only racing jurisdiction that requires a minimum net worth to secure a racing meeting license. To qualify for a permit to race in Ohio an applicant must have a minimum net worth of \$500,000. Additionally, if upon examination of financial statements a reasonable doubt exists as to the applicant's financial security, the Ohio commission may require sureties not to exceed 1 million dollars.

RECOMMENDATION

This item is presented for discussion and action by the Board.

STAFF ANALYSIS
DISCUSSION REGARDING THE FEASIBILITY OF AMENDING
CHRB RULE 1876, FINANCIAL RESPONSIBILITY
TO REQUIRE FINANCIAL COMPLAINTS ABOVE AN AMOUNT
THAT CAN BE ADJUDICATED
BY SMALL CLAIMS COURT NOT BE HEARD
BY THE BOARD OR THE REPEAL
OF
RULE 1876. FINANCIAL RESPONSIBILITY
TO ELIMINATE FINANCIAL COMPLAINTS FROM BEING HEARD BY
THE BOARD

Regular Board Meeting
March 27, 2008

BACKGROUND

Business and Professions Code section 19420 provides that the Board shall have jurisdiction and supervision over meetings in this State where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code section 19440 states the Board shall have all powers necessary and proper to enable it to carry out the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering.

Board Rule 1876, Financial Responsibility, currently provides in part that no licensee shall willfully and deliberately fail or refuse to pay any moneys when due for any service, supplies or fees connected with his or her operations as a licensee. Any financial responsibility complaint against a licensee shall be in writing, signed by the complainant, and accompanied by documentation of the services, supplies or fees alleged to be due, or by a judgment from a civil court which has been issued within one year of the date of the complaint.

(d) The Board will consider only those financial responsibility complaints which meet the following criteria:

- (1) The complaint involves services, supplies or fees that are directly related to the licensee's California racetrack operations; and
- (2) The debt or cause for action originated, or the civil court judgment was issued, in this State within one year of the filing of the complaint.

Complaints are filed with the investigative staff who verify they meet the criteria of Rule 1876 (d1) (d2) and then they are forwarded to the stewards for adjudication.

Board Directive 1-05 issued on January 26, 2005, provides that investigative staff will no longer accept financial complaints from licensed vendors unless a civil court judgment was issued on the matter.

ANALYSIS

The stewards are responsible for hearing financial complaints, in addition to other responsibilities. The filing of financial complaints has increased over the past two years and has resulted in the stewards spending an exorbitant amount of time acting as "bill collectors." There were 109 claims filed in 2006 and 152 claims filed in 2007. The average claim filed during the two-year period was \$4,356.

Using the court system can provide the licensee with a court order, which can be used to levy a purse account. For the court order to be effective the licensee who owes money must have funds available in a purse account. California Small Claims Court will hear individual cases up to \$7,500 and \$5,000 for business or organizations. Legal advice is available to plaintiff and defendant free of charge. If plaintiff's claim exceeds the small claims court criteria they can opt to sue in the civil division. The plaintiff cannot file more than two cases in court for more than \$2,500 each during a calendar year.

Board Rule 1876 currently provides the stewards with the authority to require a civil court judgment as a prerequisite to filing a financial complaint. Exercising this option could ultimately reduce the number of complaints heard by the stewards.

Additional options include amending Board Rule 1876 to set a minimum amount at which the stewards would hear a complaint. Complaints not meeting the established minimum amount would be heard in small claims court, and if a judgment were issued, a complaint could be filed with the Board for remedy. However, this might adversely affect remedies available to licensees, as some licensees may not have the flexibility to attend small claims court.

The repeal of Rule 1876 would eliminate any licensee's access to assistance from the stewards with regards to financial complaints. This could have a detrimental effect for those who have obtained a civil court judgment, but cannot force payment, as the stewards have the authority to suspend a license, which would encourage the payment of debts related to horse racing.

RECOMMENDATION

This item is presented for discussion and action by the Board.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 16. GENERAL CONDUCT
SECTION 1876. FINANCIAL RESPONSIBILITY

Regular Board Meeting
March 27, 2008

1876. Financial Responsibility.

(a) No licensee shall willfully and deliberately fail or refuse to pay any moneys when due for any service, supplies or fees connected with his or her operations as a licensee, nor shall he or she falsely deny any such amount due or the validity of the complaint thereof with the purpose of hindering or delaying or defrauding the person to whom such indebtedness is due.

(b) Any financial responsibility complaint against a licensee shall be in writing, signed by the complainant, and accompanied by documentation of the services, supplies or fees alleged to be due, or by a judgment from a civil court which has been issued within one year of the date of the complaint.

(c) The Board will not consider a financial complaint made by the complainant against the same accused within twenty-four months of the filing of the instant complaint.

(d) The Board will consider only those financial responsibility complaints which meet the following criteria:

- (1) The complaint involves services, supplies or fees that are directly related to the licensee's California racetrack operations; and
- (2) The debt or cause for action originated, or the civil court judgment was issued, in this State within one year of the filing of the complaint.

Authority: Sections 19440 and 19460,
Business and Professions Code.

Reference: Section 19440, 19460 and 19461
Business and Professions Code

STAFF ANALYSIS
STAFF REPORT ON END-OF-MEET RESULTS

Regular Board Meeting
March 27, 2008

BACKGROUND:

This item contains end-of-meet reports for the following concluded race meets: Oak Tree Racing Association, Hollywood Park Racing Association - Fall, Bay Meadows Racing Association, Pacific Racing Association, Los Alamitos Quarter Horse Racing Association, Sacramento Harness Association.

Staff is prepared to answer questions regarding the information presented.

RECOMMENDED:

These items are for information and discussion.

Bay Meadows Racing Association

February 14, 2007 - November 4, 2007

Race Days: 100

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	-7.74%	(312,960)
Avg. On-Track Handle	-6.40%	(43,013)
Avg. ITW Network Handle	-4.16%	(51,229)
Avg. ADW In Network Handle	2.14%	7,688
Avg. Out-Of-State Handle	-12.70%	(226,406)
Avg. Daily Attendance	-2.21%	(141)
Avg. Daily On-Track Attendance	1.95%	58
Avg. Daily ITW Attendance	-5.89%	(200)

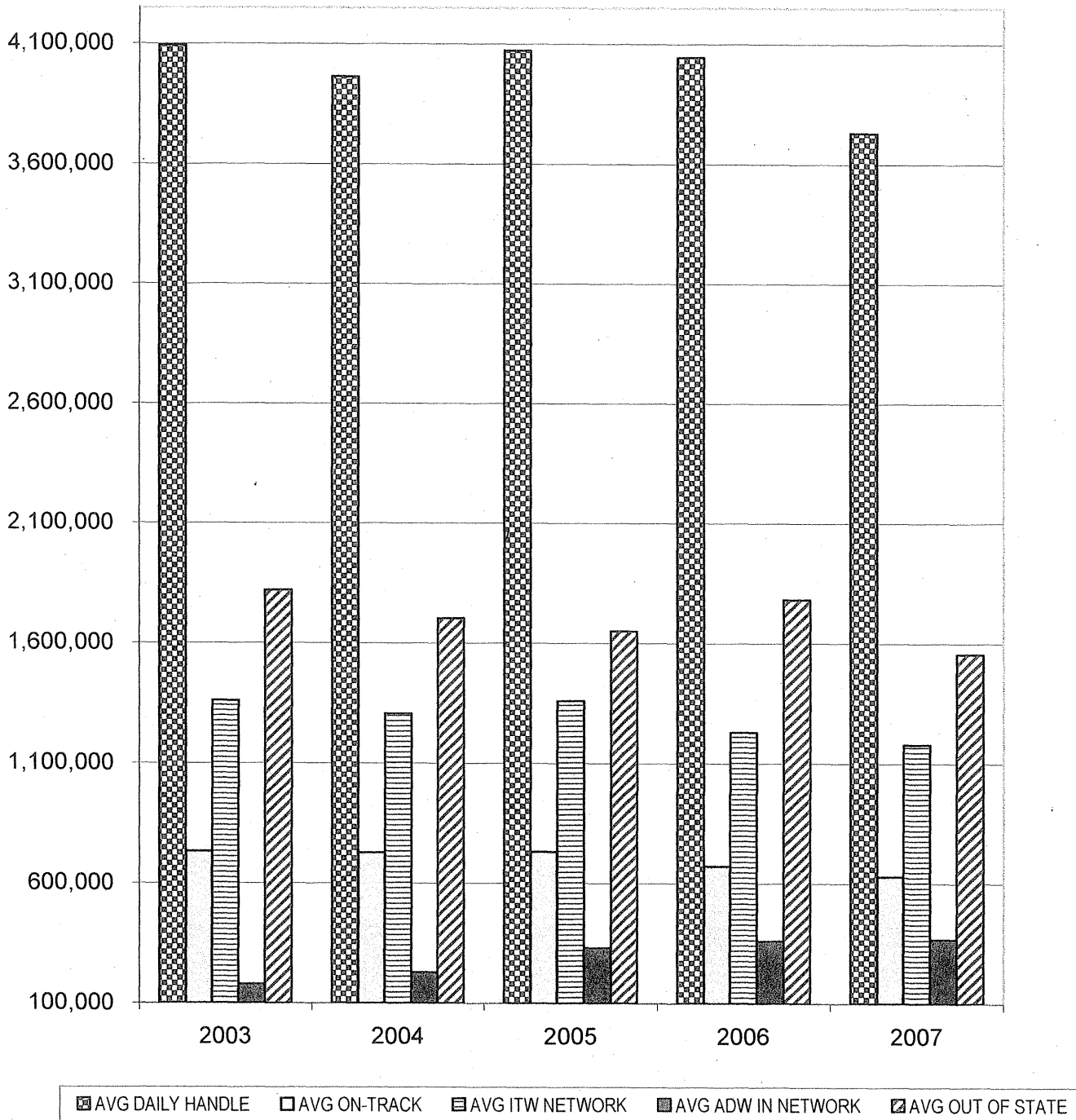
CALIFORNIA HORSE RACING BOARD END OF MEET REPORT

Bay Meadows Racing Association

	2003	2004	2005	2006	2007	2007 \$	2007 %
TOTAL RACE DAYS	105	104	104	105	100	(5)	-4.76%
TOTAL HANDLE	429,842,457	412,412,131	423,523,340	424,641,424	373,124,444	(51,516,981)	-12.13%
BY ORIGIN OF WAGER:							
ON-TRACK	76,955,435	75,615,222	76,045,334	70,576,557	62,914,465	(7,662,091)	-10.86%
ITW NETWORK	142,892,890	135,903,951	141,458,089	129,201,183	117,925,833	(11,275,350)	-8.73%
ADW IN NETWORK	18,880,809	23,784,938	34,377,012	37,730,221	36,702,370	(1,027,851)	-2.72%
OUT-OF-STATE	191,113,324	177,108,021	171,642,905	187,133,464	155,581,776	(31,551,688)	-16.86%
proof	429,842,457	412,412,131	423,523,340	424,641,424	373,124,444	(51,516,981)	-12.13%
BY ORIGIN OF RACE							
LIVE	266,254,918	246,545,365	242,322,392	255,097,403	210,694,553	(44,402,850)	-17.41%
OUT- OF- ZONE	81,630,808	73,649,287	81,305,814	76,523,396	72,523,639	(3,999,757)	-5.23%
INTERSTATE-IMPORT	81,457,097	86,987,312	90,291,931	81,620,145	76,955,131	(4,665,013)	-5.72%
INTERNATIONAL-IMPORT	499,633	5,230,167	9,603,204	11,400,480	12,951,120	1,550,640	13.60%
proof	429,842,457	412,412,131	423,523,340	424,641,424	373,124,444	(51,516,981)	-12.13%
proof	0	0	0	0	0	0	
AVG DAILY HANDLE	4,093,738	3,965,501	4,072,340	4,044,204	3,731,244	(312,960)	-7.74%
AVG BY ORIGIN OF WAGER:							
AVG ON-TRACK	732,909	727,069	731,205	672,158	629,145	(43,013)	-6.40%
AVG ITW NETWORK	1,360,885	1,306,769	1,360,174	1,230,487	1,179,258	(51,229)	-4.16%
AVG ADW IN NETWORK	179,817	228,701	330,548	359,335	367,024	7,688	2.14%
AVG OUT OF STATE	1,820,127	1,702,962	1,650,413	1,782,223	1,555,818	(226,406)	-12.70%
AVG BY ORIGIN OF RACE							
AVG LIVE	2,535,761	2,370,629	2,330,023	2,429,499	2,106,946	(322,554)	-13.28%
AVG OUT-OF-ZONE	777,436	708,166	781,787	728,794	725,236	(3,558)	-0.49%
AVG INTERSTATE-IMPORT	775,782	836,416	868,192	777,335	769,551	(7,783)	-1.00%
AVG INTRNAL-IMPORT	4,758	50,290	92,338	108,576	129,511	20,935	19.28%
TOTAL TAKEOUT	83,597,909	81,467,969	83,791,306	83,823,067	73,970,278	(9,852,789)	-11.75%
EFFECTIVE TAKEOUT %	19.45%	19.75%	19.78%	19.74%	19.82%	0	0.43%
STATE LICENSE FEES	2,582,193	2,433,995	2,620,181	2,551,455	2,125,451	(426,004)	-16.70%
STATE %	0.60%	0.59%	0.62%	0.60%	0.57%	(0)	-5.19%
TRACK COMMISSION	16,962,682	16,440,814	17,821,976	16,776,921	15,367,507	(1,409,415)	-8.40%
TRACK %	3.95%	3.99%	4.21%	3.95%	4.12%	0	4.25%
PURSE COMMISSION	16,332,732	15,813,885	17,155,865	16,131,098	14,733,141	(1,397,957)	-8.67%
PURSE %	3.80%	3.83%	4.05%	3.80%	3.95%	0	3.94%
CALIFORNIA NETWORK							
ATTENDANCE	770,622	717,737	712,125	671,175	625,084	(46,091)	-6.87%
ON-TRACK	342,956	327,723	328,446	314,843	305,693	(9,150)	-2.91%
ITW NETWORK	427,666	390,014	383,679	356,332	319,391	(36,941)	-10.37%
AVG DAILY ATTENDANCE	7,339	6,901	6,847	6,392	6,251	(141)	-2.21%
AVG DAILY ON-TRACK	3,266	3,151	3,158	2,999	3,057	58	1.95%
AVG DAILY ITW NETWORK	4,073	3,750	3,689	3,394	3,194	(200)	-5.89%
TOTAL RACE EVENTS	891	878	880	890	839	(51)	-5.73%
STARTERS	6,251	6,115	5,967	6,245	5,643	(602)	-9.64%
AVG STARTERS PER RACE	7.02	6.96	6.78	7.02	6.73	(0.2910)	-4.15%
AVG HANDLE PER START	42,594	40,318	40,610	40,848	37,337	(3,511)	-8.60%

Source: CHRIMS

Bay Meadow Racing Association



Oak Tree Racing Associaton

September 26, 2007 - November 4, 2007

Race Days: 31

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	16.16%	1,467,187
Avg. On-Track Handle	-2.44%	(46,829)
Avg. ITW Network Handle	5.72%	133,657
Avg. ADW In Network Handle	23.80%	217,888
Avg. Out-Of-State Handle	29.73%	1,162,472
Avg. Daily Attendance	-4.12%	(686)
Avg. Daily On-Track Attendance	-8.98%	(809)
Avg. Daily ITW Attendance	1.60%	123

CALIFORNIA HORSE RACING BOARD END OF MEET REPORT

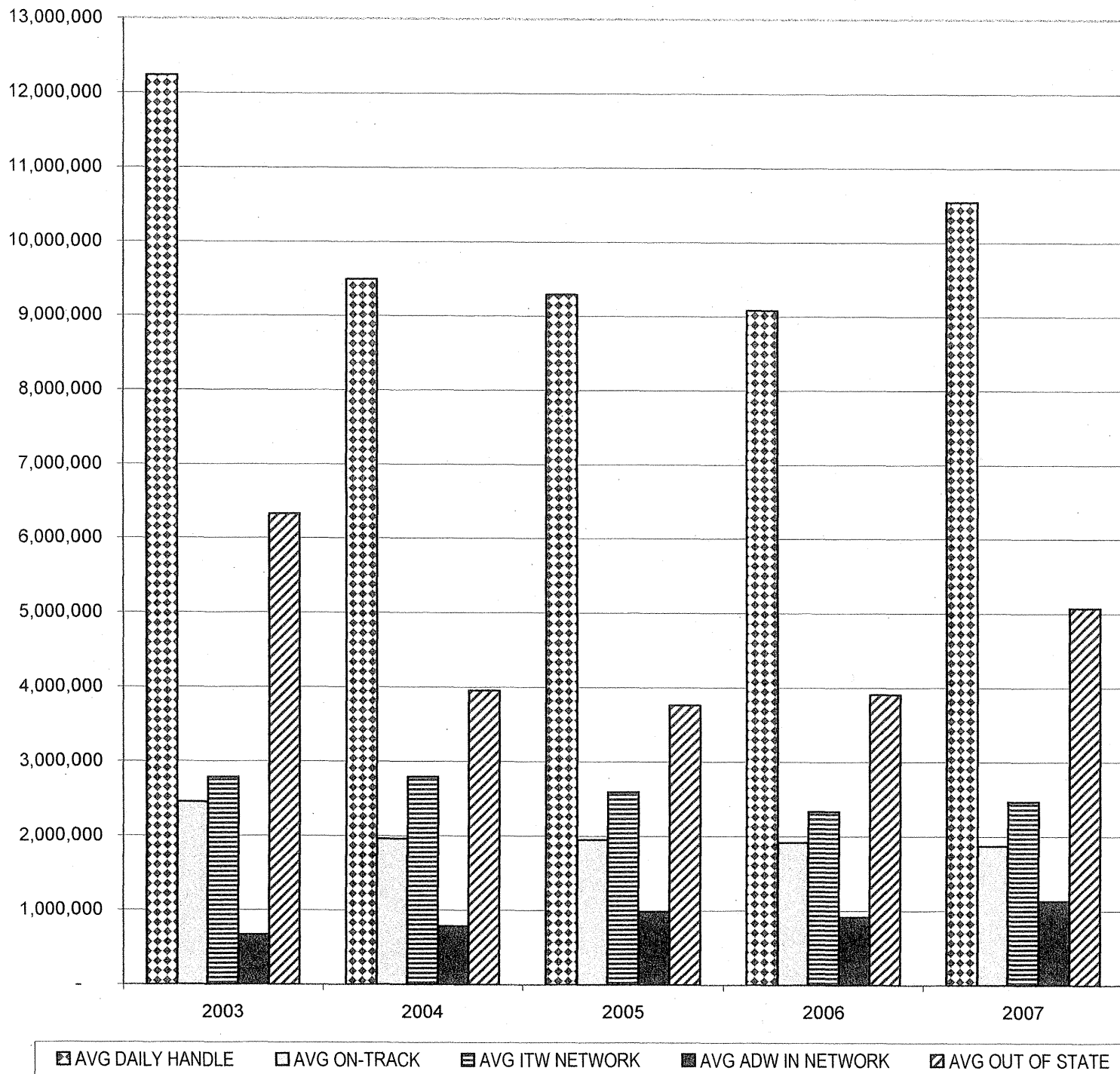
Oak Tree Racing Association

YTY CHANGE

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2007 \$</u> <u>CHANGE</u>	<u>2007 %</u> <u>CHANGE</u>
TOTAL RACE DAYS	32	26	31	26	31	5	19.23%
TOTAL HANDLE	391,593,486	246,837,146	288,012,944	236,119,118	327,009,440	90,890,323	38.49%
BY ORIGIN OF WAGER:							
ON-TRACK	78,607,430	50,959,066	60,456,834	49,929,703	58,079,857	8,150,155	16.32%
ITW NETWORK	89,182,330	72,622,974	80,369,686	60,728,029	76,549,864	15,821,835	26.05%
ADW IN NETWORK	21,369,297	20,415,957	30,456,485	23,806,699.85	35,139,432	11,332,732	47.60%
OUT-OF-STATE	202,434,430	102,839,150	116,729,938	101,654,686	157,240,288	55,585,601	54.68%
	391,593,486	246,837,146	288,012,944	236,119,118	327,009,440	90,890,323	38.49%
BY ORIGIN OF RACE							
LIVE	317,999,939	175,981,966	201,646,590	175,923,112	248,518,589	72,595,477	41.27%
OUT- OF- ZONE	34,022,804	22,589,343	26,878,215	20,194,337	20,670,336	475,999	2.36%
INTERSTATE-IMPORT	39,335,425	43,112,962	53,649,062	34,906,678	51,187,073	16,280,395	46.64%
INTRNAL-IMPORT	235,318	5,152,876	5,839,076	5,094,991	6,633,442	1,538,452	30.20%
	391,593,486	246,837,146	288,012,944	236,119,118	327,009,440	90,890,323	38.49%
<i>proof</i>	-	-	-	-	-	-	-
AVG DAILY HANDLE	12,237,296	9,493,736	9,290,740	9,081,505	10,548,692	1,467,187	16.16%
AVG BY ORIGIN OF WAGER:							
AVG ON-TRACK	2,456,482	1,959,964	1,950,220	1,920,373	1,873,544	(46,829)	-2.44%
AVG ITW NETWORK	2,786,948	2,793,191	2,592,571	2,335,693	2,469,350	133,657	5.72%
AVG ADW IN NETWORK	667,791	785,229	982,467	915,642	1,133,530	217,888	23.80%
AVG OUT OF STATE	6,326,076	3,955,352	3,765,482	3,909,796	5,072,267	1,162,472	29.73%
AVG BY ORIGIN OF RACE							
AVG LIVE	9,937,498	6,768,537	6,504,729	6,766,274	8,016,729	1,250,455	18.48%
AVG OUT-OF-ZONE	1,063,213	868,821	867,039	776,705	666,785	(109,920)	-14.15%
AVG INTERSTATE-IMPORT	1,229,232	1,658,191	1,730,615	1,342,565	1,651,196	308,631	22.99%
AVG INTRNAL-IMPORT	7,354	198,188	188,357	195,961	213,982	18,021	9.20%
TOTAL TAKEOUT	74,739,161	48,753,145	56,387,013	46,275,797	64,373,929	18,098,132	39.11%
EFFECTIVE TAKEOUT %	19.09%	19.75%	19.58%	19.60%	19.69%	0	0.44%
STATE LICENSE FEES	3,746,103	2,812,157	3,204,443	2,565,550	3,206,613	641,063	24.99%
STATE %	0.96%	1.14%	1.11%	1.09%	0.98%	(0)	-9.75%
TRACK COMMISSION	16,255,537	9,944,456	11,596,667	9,533,011	12,359,906	2,826,895	29.65%
TRACK %	4.15%	4.03%	4.03%	4.04%	3.78%	(0)	-6.38%
PURSE COMMISSION	15,921,734	9,703,661	11,295,141	9,053,469	11,991,661	2,938,191	32.45%
PURSE %	4.07%	3.93%	3.92%	3.83%	3.67%	(0)	-4.36%
CALIFORNIA NETWORK							
ATTENDANCE	642,953	476,145	525,961	432,814	494,778	61,964	14.32%
ON-TRACK	327,959	241,016	263,317	234,076	254,018	19,942	8.52%
ITW NETWORK	314,994	235,129	262,644	198,738	240,760	42,022	21.14%
AVG DAILY ATTENDANCE	20,092	18,313	16,966	16,647	15,961	(686)	-4.12%
AVG DAILY ON-TRACK	10,249	9,270	8,494	9,003	8,194	(809)	-8.98%
AVG DAILY ITW NETWORK	9,844	9,043	8,472	7,644	7,766	123	1.60%
TOTAL RACE EVENTS	270	222	267	226	266	40	17.70%
STARTERS	2,122	1,776	2,099	1,845	2,389	544	29.49%
AVG STARTERS PER EVENT	7.86	8.00	7.86	8.16	8.98	1	10.01%
AVG HANDLE PER START	149,859	99,089	96,068	95,351	104,026	8,675	9.10%

Source: CHRIMS

Oak Tree Racing Association



Hollywood Park Racing Association-Fall

November 7, 2007 - December 22, 2007

Race Days: 32

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	5.38%	523,327
Avg. On-Track Handle	-4.84%	(68,660)
Avg. ITW Network Handle	-13.56%	(378,847)
Avg. ADW In Network Handle	-1.44%	(15,583)
Avg. Out-Of-State Handle	22.21%	986,417
Avg. Daily Attendance	-4.86%	(606)
Avg. Daily On-Track Attendance	3.56%	170
Avg. Daily ITW Attendance	-10.08%	(776)

CALIFORNIA HORSE RACING BOARD END OF MEET REPORT

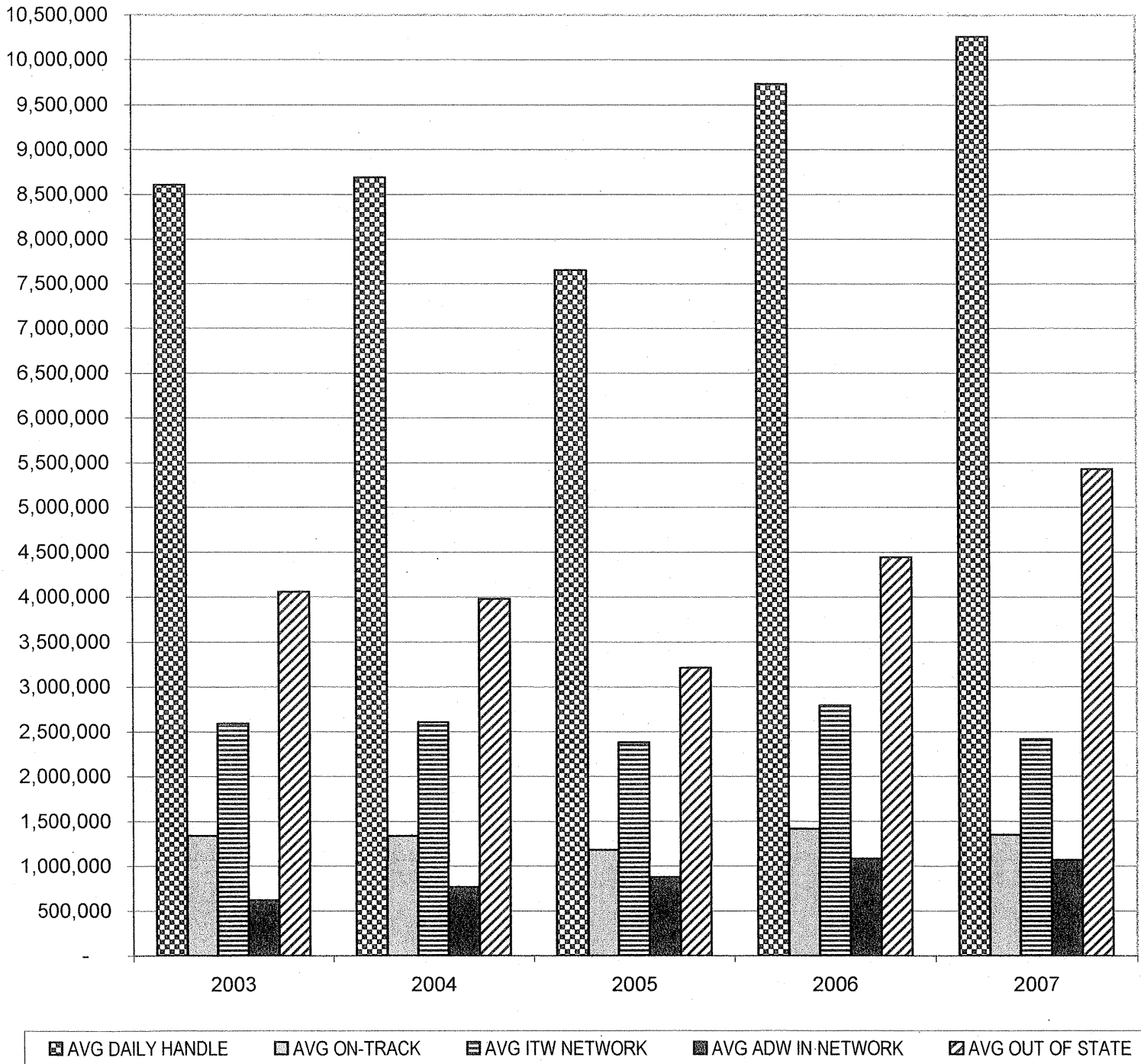
Hollywood Park Fall

YTY CHANGE

	2003	2004	2005	2006	2007	2007 \$ CHANGE	2007 % CHANGE
TOTAL RACE DAYS	30	36	31	36	32	(4)	-11.11%
TOTAL HANDLE	258,255,390	312,820,079	237,180,131	350,506,599	328,307,897	(22,198,702)	-6.33%
BY ORIGIN OF WAGER:							
ON-TRACK	40,190,594	48,176,101	36,628,437	51,023,652	43,157,248	(7,866,404)	-15.42%
ITW NETWORK	77,753,538	93,830,167	73,777,828	100,568,379	77,271,023	(23,297,356)	-23.17%
ADW IN NETWORK	18,544,179	27,535,050	27,186,272	39,009,609	34,176,539	(4,833,070)	-12.39%
OUT-OF-STATE	121,767,079	143,278,762	99,587,593	159,904,960	173,703,088	13,798,128	8.63%
	258,255,390	312,820,079	237,180,131	350,506,599	328,307,897		
BY ORIGIN OF RACE							
LIVE	197,674,541	232,695,505	163,730,183	257,118,845	260,997,931	3,879,086	1.51%
OUT- OF- ZONE	26,576,785	32,411,622	25,885,862	30,295,568	25,335,489	(4,960,079)	-16.37%
INTERSTATE-IMPORT	33,842,071	43,020,777	42,914,471	56,647,321	36,481,692	(20,165,629)	-35.60%
INTERNATIONAL-IMPORT	161,994	4,692,176	4,649,616	6,444,865	5,492,785	(952,080)	-14.77%
	258,255,390	312,820,079	237,180,131	350,506,599	328,307,897		
<i>proof</i>	(1)	-	-	-	-		
AVG DAILY HANDLE	8,608,513	8,689,447	7,650,972	9,736,294	10,259,622	523,327	5.38%
AVG BY ORIGIN OF WAGER:							
AVG ON-TRACK	1,339,686	1,338,225	1,181,562	1,417,324	1,348,664	(68,660)	-4.84%
AVG ITW NETWORK	2,591,785	2,606,394	2,379,930	2,793,566	2,414,719	(378,847)	-13.56%
AVG ADW IN NETWORK	618,139	764,862	876,977	1,083,600	1,068,017	(15,583)	-1.44%
AVG OUT OF STATE	4,058,903	3,979,966	3,212,503	4,441,804	5,428,221	986,417	22.21%
AVG BY ORIGIN OF RACE							
AVG LIVE	6,589,151	6,463,764	5,281,619	7,142,190	8,156,185	1,013,995	14.20%
AVG OUT-OF-ZONE	885,893	900,323	835,028	841,544	791,734	(49,810)	-5.92%
AVG INTERSTATE-IMPORT	1,128,069	1,195,022	1,384,338	1,573,537	1,140,053	(433,484)	-27.55%
AVG INTRNAL-IMPORT	5,400	130,338	149,988	179,024	171,650	(7,374)	-4.12%
TOTAL TAKEOUT	49,909,088	61,548,110	46,755,751	69,073,604	64,783,023	(4,290,581)	-6.21%
EFFECTIVE TAKEOUT %	19.33%	19.68%	19.71%	19.71%	19.73%	0	0.13%
STATE LICENSE FEES	2,740,595	3,264,374	2,479,100	3,499,171	2,969,858	(529,312)	-15.13%
STATE %	1.06%	1.04%	1.05%	1.00%	0.90%	(0)	-9.39%
TRACK COMMISSION	9,765,698	12,005,814	9,388,716	13,206,910	12,002,914	(1,203,996)	-9.12%
TRACK %	3.78%	3.84%	3.96%	3.77%	3.66%	(0)	-2.97%
PURSE COMMISSION	9,542,633	11,743,502	9,166,316	12,900,651	11,735,644	(1,165,007)	-9.03%
PURSE %	3.70%	3.75%	3.86%	3.68%	3.57%	(0)	-2.88%
CALIFORNIA NETWORK							
ATTENDANCE	444,524	501,446	361,635	448,786	379,535	(69,251)	-15.43%
ON-TRACK	195,475	218,909	146,261	171,882	158,218	(13,664)	-7.95%
ITW NETWORK	249,049	282,537	215,374	276,904	221,317	(55,587)	-20.07%
AVG DAILY ATTENDANCE	14,817	13,929	11,666	12,466	11,860	(606)	-4.86%
AVG DAILY ON-TRACK	6,516	6,081	4,718	4,775	4,944	170	3.56%
AVG DAILY ITW NETWORK	8,302	7,848	6,948	7,692	6,916	(776)	-10.08%
TOTAL RACE EVENTS	299	258	308	228	315	87	38.16%
STARTERS	2,204	1,920	2,320	1,698	2,658	960	56.54%
AVG STARTERS PER EVENT	7.37	7.44	7.53	7.45	8.44	0.99	13.30%
AVG HANDLE PER START	89,689	121,196	70,573	151,425	98,193	(53,231)	-35.15%

Source: CHRIMS

Hollywood Park Racing Association - Fall



Pacific Racing Association

December 26, 2006 - December 22, 2007

Race Days: 98

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	11.29%	441,789
Avg. On-Track Handle	3.49%	19,631
Avg. ITW Network Handle	-2.09%	(29,414)
Avg. ADW In Network Handle	18.47%	62,051
Avg. Out-Of-State Handle	24.22%	389,522
Avg. Daily Attendance	3.60%	216
Avg. Daily On-Track Attendance	12.04%	267
Avg. Daily ITW Attendance	-1.34%	(51)

CALIFORNIA HORSE RACING BOARD END OF MEET REPORT

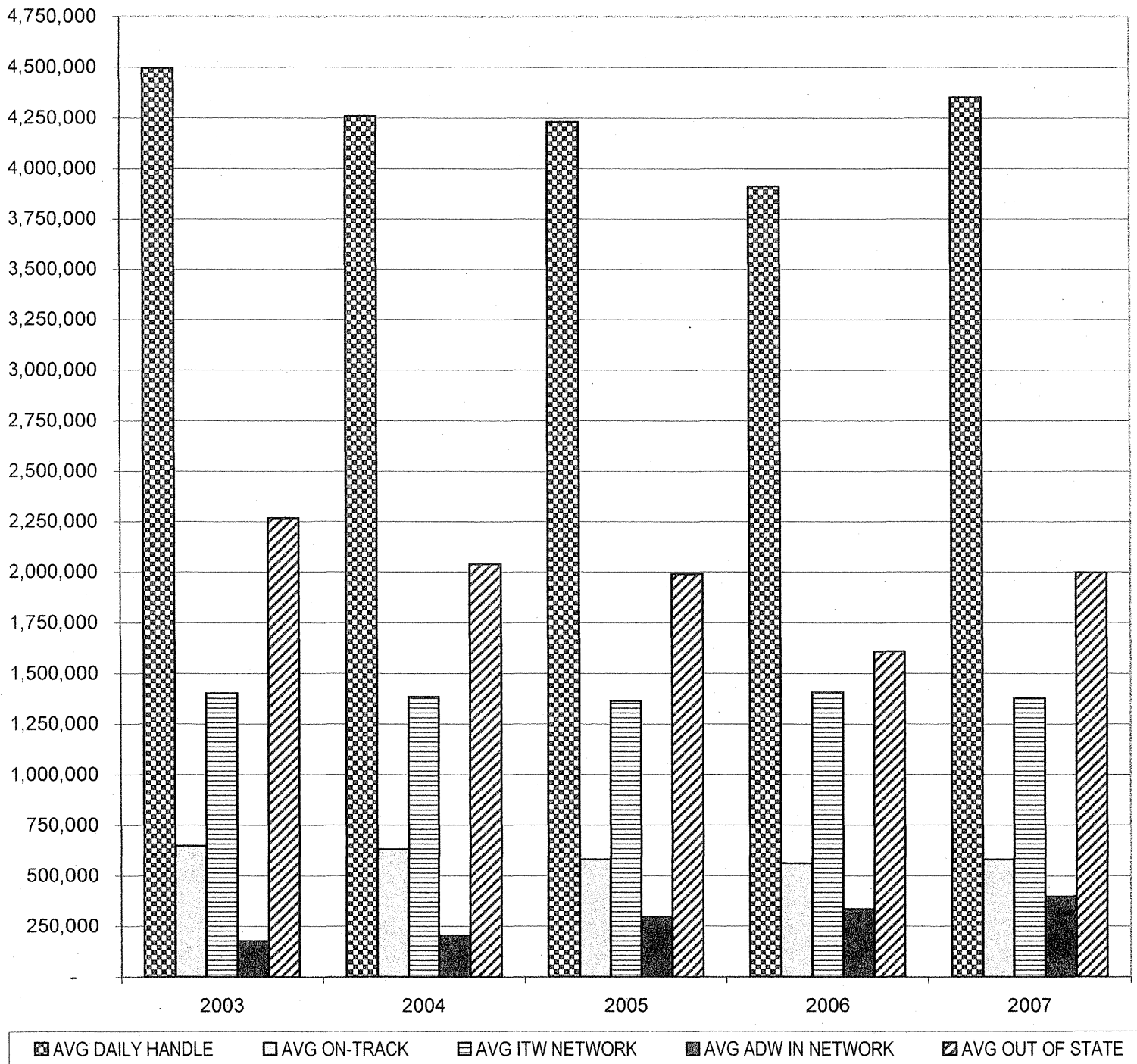
Pacific Racing Association

YTY CHANGE

	2003	2004	2005	2006	2007	2007 \$ CHANGE	2007 % CHANGE
TOTAL RACE DAYS	105	105	103	101	98	(3)	-2.97%
TOTAL HANDLE	471,901,779	447,320,522	435,843,312	395,115,632	426,674,872	31,559,240	7.99%
BY ORIGIN OF WAGER:							
ON-TRACK	68,070,821	66,372,434	59,817,436	56,743,646	56,981,990	238,343	0.42%
ITW NETWORK	147,222,103	145,324,304	140,436,504	142,046,643	134,944,857	(7,101,787)	-5.00%
ADW IN NETWORK	18,637,207	21,573,198	30,593,993	33,922,447	38,995,835	5,073,389	14.96%
OUT-OF-STATE	237,971,647	214,050,586	204,995,380	162,402,896	195,752,190	33,349,295	20.53%
	471,901,779	447,320,522	435,843,312	395,115,632	426,674,872	31,559,240	7.99%
BY ORIGIN OF RACE							
LIVE	319,777,153	290,312,645	277,030,667	222,622,346	258,343,976	35,721,631	16.05%
OUT- OF- ZONE	83,077,543	80,245,884	67,042,052	77,791,160	76,422,596	(1,368,564)	-1.76%
INTERSTATE-IMPORT	68,569,205	73,749,215	81,205,388	84,000,108	79,876,999	(4,123,109)	-4.91%
INTERNATIONAL-IMPORT	477,878	3,012,779	10,565,205	10,702,019	12,031,301	1,329,282	12.42%
	471,901,779	447,320,522	435,843,312	395,115,632	426,674,872	31,559,240	7.99%
<i>proof</i>	-	-	-	-	-	-	-
AVG DAILY HANDLE	4,494,303	4,260,195	4,231,488	3,912,036	4,353,825	441,789	11.29%
AVG BY ORIGIN OF WAGER:							
AVG ON-TRACK	648,294	632,118	580,752	561,818	581,449	19,631	3.49%
AVG ITW NETWORK	1,402,115	1,384,041	1,363,461	1,406,402	1,376,988	(29,414)	-2.09%
AVG ADW IN NETWORK	177,497	205,459	297,029	335,866	397,917	62,051	18.47%
AVG OUT OF STATE	2,266,397	2,038,577	1,990,246	1,607,949	1,997,471	389,522	24.22%
AVG BY ORIGIN OF RACE							
AVG LIVE	3,045,497	2,764,882	2,689,618	2,204,182	2,636,163	431,981	19.60%
AVG OUT-OF-ZONE	791,215	764,247	650,894	770,210	779,822	9,613	1.25%
AVG INTERSTATE-IMPORT	653,040	702,373	788,402	831,684	815,071	(16,613)	-2.00%
AVG INTRNL-IMPORT	4,551	28,693	102,575	105,961	122,768	16,808	15.86%
TOTAL TAKEOUT	92,014,373	91,133,857	86,714,882	85,984,184	78,081,695	(7,902,489)	-9.19%
EFFECTIVE TAKEOUT %	19.50%	20.37%	19.90%	21.76%	18.30%	(0)	-15.91%
STATE LICENSE FEES	3,076,042	2,945,532	2,746,397	2,531,991	2,710,217	178,226	7.04%
STATE %	0.65%	0.66%	0.63%	0.64%	0.64%	(0)	-0.88%
TRACK COMMISSION	17,589,927	17,229,886	16,586,749	16,011,386	16,243,093	231,707	1.45%
TRACK %	3.73%	3.85%	3.81%	4.05%	3.81%	(0)	-6.06%
PURSE COMMISSION	17,143,872	16,780,856	16,118,362	15,567,045	15,746,311	179,265	1.15%
PURSE %	3.63%	3.75%	3.70%	3.94%	3.69%	(0)	-6.33%
CALIFORNIA NETWORK							
ATTENDANCE	690,221	670,820	634,636	606,103	609,290	3,187	0.53%
ON-TRACK	248,761	248,215	239,411	224,054	243,572	19,518	8.71%
ITW NETWORK	441,460	422,605	395,225	382,049	365,718	(16,331)	-4.27%
AVG DAILY ATTENDANCE	6,574	6,389	6,162	6,001	6,217	216	3.60%
AVG DAILY ON-TRACK	2,369	2,364	2,324	2,218	2,485	267	12.04%
AVG DAILY ITW NETWORK	4,204	4,025	3,837	3,783	3,732	(51)	-1.34%
TOTAL RACE EVENTS	882	890	886	866	855	(11)	-1.27%
STARTERS	6,863	6,524	6,280	6,361	5,725	(636)	-10.00%
AVG STARTERS PER EVENT	7.78	7.33	7.09	7.35	6.70	(1)	-8.84%
AVG HANDLE PER START	46,594	44,499	44,113	34,998	45,126	10,128	28.94%

Source: CHRIMS

Pacific Racing Association



Los Alamitos Quarter Horse Racing Association

December 28, 2006 - December 23, 2007

Race Days: 202

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	5.11%	73,132
Avg. On-Track Handle	-2.04%	(4,683)
Avg. ITW Network Handle	0.89%	4,570
Avg. ADW In Network Handle	9.87%	35,871
Avg. Out-Of-State Handle	11.58%	37,375
Avg. Daily Attendance	-1.75%	(76)
Avg. Daily On-Track Attendance	0.21%	2
Avg. Daily ITW Attendance	-2.50%	(78)

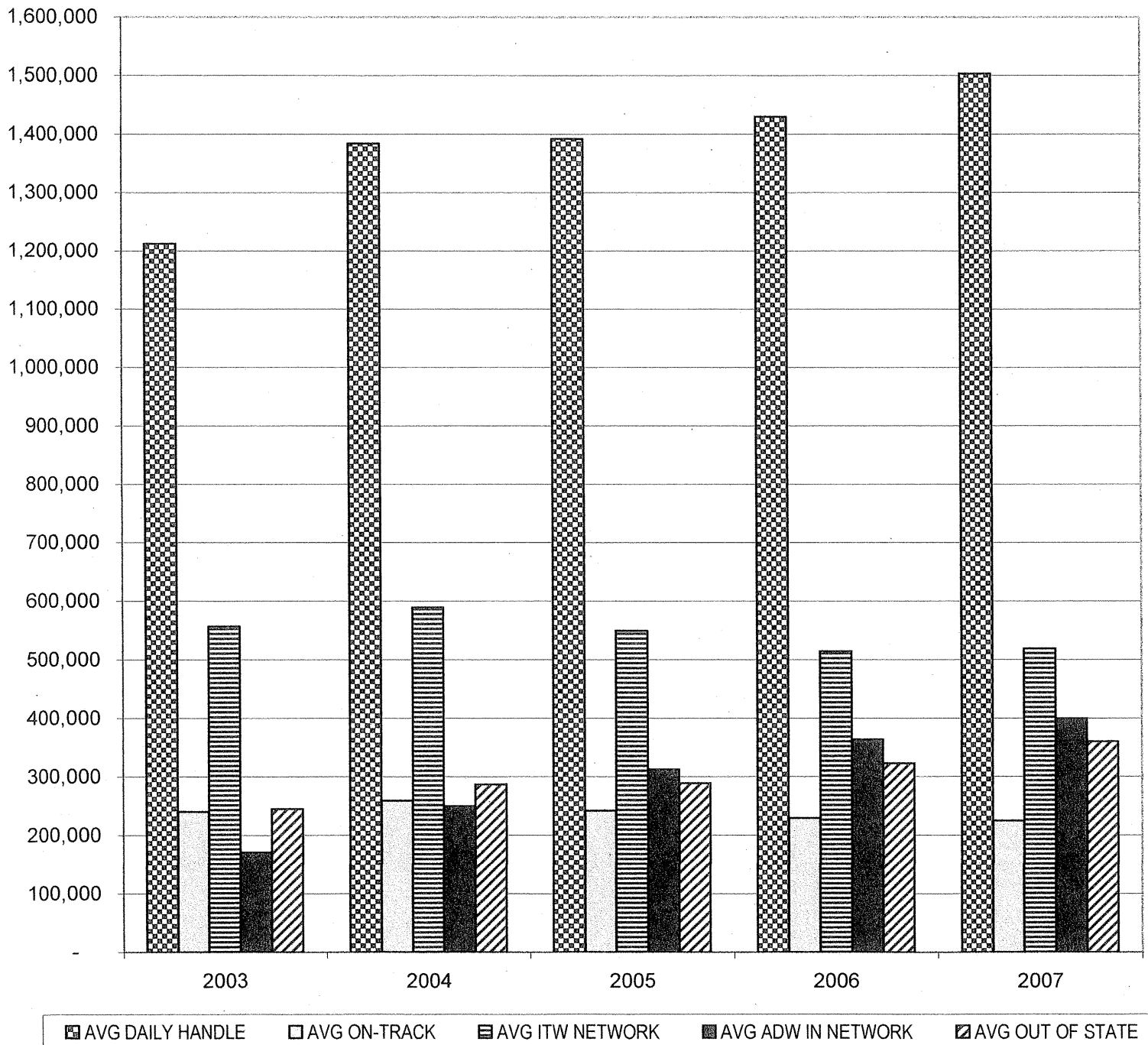
CALIFORNIA HORSE RACING BOARD END OF MEET REPORT

Los Alamitos Quarters

Year	2003	2004	2005	2006	2007	YTY CHANGE	
						2007 \$ CHANGE	2007 % CHANGE
TOTAL RACE DAYS	205	203	200	201	202	1	0.50%
TOTAL HANDLE	248,556,833	280,988,032	278,393,512	287,437,315	303,640,015	16,202,700	5.64%
BY ORIGIN OF WAGER:							
ON-TRACK	49,227,352	52,572,294	48,390,966	46,083,325	45,366,568	(716,757)	-1.56%
ITW NETWORK	114,145,155	119,580,625	109,908,580	103,389,659	104,827,142	1,437,483	1.39%
ADW IN NETWORK	35,000,911	50,675,176	62,394,236	73,082,661	80,692,164	7,609,503	10.41%
OUT-OF-STATE	50,183,415	58,159,937	57,699,730	64,881,670	72,754,141	7,872,471	12.13%
	248,556,833	280,988,032	278,393,512	287,437,315	303,640,015		
BY ORIGIN OF RACE							
LIVE	185,420,648	211,426,204	212,846,583	221,421,283	239,022,367	17,601,084	7.95%
OUT- OF- ZONE	-	41,875	3,297	-	-	0	
INTERSTATE-IMPORT	60,743,675	63,642,027	60,701,907	63,497,045	61,883,131	(1,613,914)	-2.54%
INTRNAL-IMPORT	2,392,510	5,877,925	4,841,724	2,518,987	2,734,517	215,530	8.56%
	248,556,833	280,988,031	278,393,511	287,437,315	303,640,015		
<i>proof</i>	-	1	1	-	-		
AVG DAILY HANDLE	1,212,472	1,384,177	1,391,968	1,430,036	1,503,168	73,132	5.11%
AVG BY ORIGIN OF WAGER:							
AVG ON-TRACK	240,133	258,977	241,955	229,270	224,587	(4,683)	-2.04%
AVG ITW NETWORK	556,806	589,067	549,543	514,376	518,946	4,570	0.89%
AVG ADW IN NETWORK	170,736	249,631	311,971	363,595	399,466	35,871	9.87%
AVG OUT OF STATE	244,797	286,502	288,499	322,794	360,169	37,375	11.58%
AVG BY ORIGIN OF RACE							
AVG LIVE	904,491	1,041,508	1,064,233	1,101,598	1,183,279	81,681	7.41%
AVG OUT-OF-ZONE	-	206	16	-	-	-	
AVG INTERSTATE-IMPORT	296,311	313,508	303,510	315,906	306,352	(9,554)	-3.02%
AVG INTRNAL-IMPORT	11,671	28,955	24,209	12,532	13,537	1,005	8.02%
TOTAL TAKEOUT	50,276,269	57,404,253	57,085,069	58,744,775	61,744,710	2,999,935	5.11%
EFFECTIVE TAKEOUT %	20.23%	20.43%	20.51%	20.44%	20.33%	(0)	-0.50%
STATE LICENSE FEES	956,653	1,043,239	975,329	938,799	983,115	44,316	4.72%
STATE %	0.38%	0.37%	0.35%	0.33%	0.32%	(0)	-0.87%
TRACK COMMISSION	12,188,656	13,585,917	13,354,208	13,340,093	13,736,884	396,791	2.97%
TRACK %	4.90%	4.84%	4.80%	4.64%	4.52%	(0)	-2.52%
PURSE COMMISSION	11,937,232	13,257,616	13,006,536	12,994,905	13,388,849	393,944	3.03%
PURSE %	4.80%	4.72%	4.67%	4.52%	4.41%	(0)	-2.47%
CALIFORNIA NETWORK							
ATTENDANCE	976,851	946,480	910,479	872,107	861,105	(11,002)	-1.26%
ON-TRACK	285,396	261,405	251,335	240,698	242,393	1,695	0.70%
ITW NETWORK	691,455	685,075	659,144	631,409	618,712	(12,697)	-2.01%
AVG DAILY ATTENDANCE	4,765	4,662	4,552	4,339	4,263	(76)	-1.75%
AVG DAILY ON-TRACK	1,392	1,288	1,257	1,198	1,200	2	0.21%
AVG DAILY ITW NETWORK	3,373	3,375	3,296	3,141	3,063	(78)	-2.50%
TOTAL RACE EVENTS	2,048	1,886	1,920	1,919	1,944	25	1.30%
STARTERS	13,721	13,285	14,054	14,068	14,692	624	4.44%
AVG STARTERS PER EVENT	6.70	7.04	7.32	7.33	8	0	0.03092548
AVG HANDLE PER START	13,514	15,915	15,145	15,739	16,269	530	3.36%

Source: CHRIMS

Los Alamitos Racing Association



Sacramento Harness Association

December 28, 2006 - December 22, 2007

Race Days: 193

AVERAGE DAILY STATISTICS

	Percent Change	Total Value
Avg. Daily Handle	1.93%	17,782
Avg. On-Track Handle	-1.39%	(796)
Avg. ITW Network Handle	-8.02%	(43,434)
Avg. ADW In Network Handle	29.64%	42,260
Avg. Out-Of-State Handle	10.96%	19,753
Avg. Daily Attendance	-2.81%	(106)
Avg. Daily On-Track Attendance	7.47%	31
Avg. Daily ITW Attendance	-4.09%	(137)

CALIFORNIA HORSE RACING BOARD END OF
Sacramento Harness Association

YTY CHANGE

	<u>2006</u>	<u>2007</u>	<u>2007 \$</u> <u>CHANGE</u>	<u>2007 %</u> <u>CHANGE</u>
TOTAL RACE DAYS	196	193	(3)	-1.53%
TOTAL HANDLE	180,692,183	181,358,461	666,278	0.37%
BY ORIGIN OF WAGER:				
ON-TRACK	11,210,469	10,885,156	(325,313)	-2.90%
ITW NETWORK	106,196,720	96,188,526	(10,008,194)	-9.42%
ADW IN NETWORK	27,947,007	35,675,342	7,728,335	27.65%
OUT-OF-STATE	35,337,987	38,609,437	3,271,450	9.26%
	180,692,183	181,358,461	666,278	
BY ORIGIN OF RACE				
LIVE	130,057,575	128,423,697	(1,633,878)	-1.26%
OUT- OF- ZONE	-	-	0	-
INTERSTATE-IMPORT	48,396,783	50,428,758	2,031,975	4.20%
INTRNAL-IMPORT	2,237,826	2,506,007	268,181	11.98%
	180,692,184	181,358,462	666,278	
<i>proof</i>	(1)	(1)	0	
AVG DAILY HANDLE	921,899	939,681	17,782	1.93%
AVG BY ORIGIN OF WAGER:				
AVG ON-TRACK	57,196	56,400	(796)	-1.39%
AVG ITW NETWORK	541,820	498,386	(43,434)	-8.02%
AVG ADW IN NETWORK	142,587	184,846	42,260	29.64%
AVG OUT OF STATE	180,296	200,049	19,753	10.96%
AVG BY ORIGIN OF RACE				
AVG LIVE	663,559	665,408	1,849	(663,559)
AVG OUT-OF-ZONE	-	-	0	
AVG INTERSTATE-IMPORT	246,922	261,289	14,367	5.82%
AVG INTRNAL-IMPORT	11,417	12,984	1,567	13.72%
			0	
TOTAL TAKEOUT	40,613,672	40,521,881	(91,791)	-0.23%
EFFECTIVE TAKEOUT %	22.48%	22.34%	(0)	-0.59%
STATE LICENSE FEES	561,380	530,226	(31,154)	-5.55%
STATE %	0.31%	0.29%	(0)	-5.90%
TRACK COMMISSION	8,870,938	8,562,617	(308,321)	-3.48%
TRACK %	4.91%	4.72%	(0)	-3.83%
PURSE COMMISSION	7,574,751	8,563,039	988,288	13.05%
PURSE %	4.19%	4.72%	0	12.63%
CALIFORNIA NETWORK				
ATTENDANCE	736,287	704,625	(31,662)	-4.30%
ON-TRACK	81,642	86,396	4,754	5.82%
ITW NETWORK	654,645	618,229	(36,416)	-5.56%
AVG DAILY ATTENDANCE	3,757	3,651	(106)	-2.81%
AVG DAILY ON-TRACK	417	448	31	7.47%
AVG DAILY ITW NETWORK	3,340	3,203	(137)	-4.09%
TOTAL RACE EVENTS	2,381	2,345	(36)	-1.51%
STARTERS	18,625	18,077	(548)	-2.94%
AVG STARTERS PER EVENT	7.82	7.71	(0.11)	-1.45%
AVG HANDLE PER START	6,983	7,104	121	1.74%

Source: CHRIMS

*Total Race and Total Starters source: Marty Bridges SHA

Sacramento Harness Association

